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LAWS .

OF THE

STATE OF ILLINOIS

ENACTED BY THE


FORTY-SECOND GENERAL ASSEMBLY

AT THE REGULAR BIENNIAL SESSION

BEGUN AND HELD AT THE CAPITOL, IN THE CITY OF SPRINGFIELD,
ON THE NINTH DAY OF JANUARY, A. D., 1901, AND AD-
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LAWS OF ILLINOIS.

ABANDONMENT.

ABANDONMENT OF WIFE AND CHILDREN.

§ 1. Abandonment of wife or children a misdemeanor.

§ 2. Penalty for.

§ 3. Proof of relationship.

Approved May 11, 1901.

AN ACT to amend an act entitled, "*An act to prevent and punish abandonment of wife or children by husband,*" approved June 17, 1893, in force July 1, 1893, and as amended June 7, 1897, in force July 1, 1897.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That every person be deemed guilty of a misdemeanor who shall, without good cause, abandon his wife and neglect or refuse to maintain or provide for her, or who shall abandon his or her child or children under the age of twelve years, and wilfully neglect or refuse to maintain and provide for such child or children.

§ 2. That every person who shall be guilty of all or any of the misdemeanors specified in this act shall be indicted and tried, and, on conviction thereof, shall be punished by fine not less than one hundred dollars nor more than five hundred dollars, or by imprisonment in the county jail, house of correction or workhouse not less than one month nor more than twelve months, or by both such fine and imprisonment.

§ 3. No other evidence shall be required to prove the marriage of such husband and wife, or that such person is the lawful father or mother of such child or children, than is or shall be required to prove said facts in a civil action, and such husband or wife shall be a competent witness to testify in any case brought against the one or the other under this act, and to any and all matters relevant thereto, including the facts of such marriage and the parentage of such child or children.

APPROVED May 11, 1901.

ADMINISTRATION OF ESTATES.

DEATH OR DISQUALIFICATION OF ADMINISTRATOR, ETC.

§ 1. Amends section 38 of act of 1872.

§ 38. Provides for appointment of executors and administrators to fill vacancy.

§ 2. Emergency.

Approved March 30, 1901.

AN ACT to amend Section thirty-eight (38) of an act entitled, "An act in regard to the administration of estates," approved April 1, 1872, in force July 1, 1872.

SECTION. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section thirty-eight (38) of an act entitled, "An act in regard to the administration of estates," be, and the same is hereby, amended as follows:

§ 38. Where the letters of one of several executors or administrators are revoked, or one or more of the executors or administrators die or become disqualified, after the execution of any will, but before the probate thereof, or one or more of the executors or administrators die or become disqualified after their appointment by the court, the court shall, on petition of the surviving husband, or wife, or next of kin of the testator, or if there are none such, then upon the petition of any of the beneficiaries named in such will, appoint others in their place, and require additional bonds from the new administrator, or administrators; or the survivor or survivors, or such as shall not have their powers revoked, shall proceed to manage the estate. When the letters of all of them are revoked, or all of such executors or administrators die before final settlement and distribution of the estate, administration, with the will annexed, or *de bonis non*, shall be granted to the person next entitled thereto: *Provided*, that in making any appointment under this section, the court shall give preference to the surviving husband, or wife, or next of kin of the deceased, or beneficiaries named in the will, in the order named.

§ 2. WHEREAS, An emergency exists, therefore, this act shall take effect and be in force from and after its passage.

APPROVED March 30, 1901.

AGRICULTURE AND HORTICULTURE.

ILLINOIS FARMERS' INSTITUTE.

§ 1. Amends section 4, act of 1895.

§ 4. Board of Directors—duties—annual reports—printing and distribution of reports.
Approved May 11, 1901.

AN ACT to amend Section 4 of "*An act creating the Illinois Farmers' Institute,*" approved June 24, 1895.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 4 of "*An act creating the Illinois Farmers' Institute,*" approved June 24, 1895, be amended to read as follows:

§ 4. The board of directors of the Illinois Farmers' Institute shall have sole care and disposal of all funds that may be appropriated by the State to sustain the organization, and shall expend the same in such manner as in their judgment will best promote the interest in useful education among the farmers and develop the agricultural resources of the State. The Illinois Farmers' Institute shall make annual report to the Governor of its transactions, which report shall include papers pertaining to its work and addresses made at the annual meeting of the organization, and a classified statement of all moneys received and of all expenditures made, and twenty thousand (20,000) copies of said report shall be printed on or before September 1 of each fiscal year, one-half for the use of the Illinois Farmers' Institute, and the remainder to the Secretary of State for distribution. It shall make no appropriation without funds in hand to meet the same, and the State of Illinois shall in no event be held liable or responsible for debt, obligation or contract made by the Illinois Farmers' Institute or its board of directors.

APPROVED May 11, 1901.

APPORTIONMENT.

CONGRESSIONAL.

§ 1. Apportions State into twenty-five congressional districts.

§ 3. "Wards" defined.

§ 2. Number of Representatives in Congress.—When elected.

§ 4. Repeal.

Approved May 13, 1901.

AN ACT to apportion the State of Illinois into twenty-five Congressional districts and to establish the same, and to provide for the election of Representatives therein, and to repeal an act therein named.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the State of Illinois be,

and the same is hereby, apportioned into twenty-five Congressional districts, and that the same are hereby established and shall be respectively composed as herein set forth, to-wit:

The First district shall be composed of the First ward, the Second ward, that part of the Third ward east of the center line of Stewart avenue, that part of the Fourth ward lying east of the center line of Halsted street, that part of the Sixth ward north of the center line of Forty-third street, all in the city of Chicago.

The Second district shall be composed of that part of the Sixth ward south of the center line of Forty-third street, the Seventh ward, the Eighth ward, and the Thirty-third ward, in the city of Chicago.

The Third district shall be composed of the towns of Lemont, Palos, Worth, Orland, Bremen, Thornton, Rich, Bloom and Calumet in Cook county, and that part of the Twenty-ninth ward south of the center line of Fifty-first street, that part of the Thirtieth ward south of the center line of Fifty-first street, the Thirty-first ward and the Thirty-second ward, in the city of Chicago.

The Fourth district shall be composed of that part of the Third ward lying west of the center line of Stewart avenue, that part of the Fourth ward lying west of the center line of Halsted street, the Fifth ward, that part of the Eleventh ward south of the center line of Twenty-second street, that part of the Twelfth ward lying south of the center line of Twenty-second street, that part of the Twenty-ninth ward north of the center line of Fifty-first street, and that part of the Thirtieth ward north of the center line of Fifty-first street, in the city of Chicago.

The Fifth district shall be composed of the Ninth ward, the Tenth ward, that part of the Eleventh ward north of the center line of Twenty-second street, and that part of the Twelfth ward north of the center line of Twenty-second street, in the city of Chicago.

The Sixth district shall be composed of the towns of Proviso, Cicero, Riverside, Stickney and Lyons in Cook county, and the Thirteenth ward, the Twentieth ward, the Thirty-fourth ward, and that part of the Thirty-fifth ward south of the south line of the right of way of the Chicago and Northwestern Railway Company, in the city of Chicago.

The Seventh district shall be composed of the towns of Hanover, Schaumburg, Elk Grove, Maine, Leyden, Barrington, Palatine, Wheeling and Norwood Park in Cook county, the Fourteenth ward, that part of the Fifteenth ward west of the center line of Robey street, the Twenty-seventh ward, the Twenty-eighth ward, and that part of the Thirty-fifth ward north of the south line of the right of way of the Chicago and Northwestern Railway Company, in the city of Chicago.

The Eighth district shall be composed of that part of the Fifteenth ward east of the center line of Robey street, the Sixteenth ward, the Seventeenth ward, the Eighteenth ward and the Nineteenth ward, in the city of Chicago.

The Ninth district shall be composed of the Twenty-first ward, the Twenty-second ward, that part of the Twenty-third ward east of the center line of Halsted street, and that part of the Twenty-fifth ward south of the center line of Graceland avenue, in the city of Chicago.

The Tenth district shall be composed of that part of the Twenty-third ward west of the center line of Halsted street, the Twenty-fourth ward, that part of the Twenty-fifth ward north of the center line of Graceland avenue and the Twenty-sixth ward, in the city of Chicago, also the towns of Evanston, Niles, New Trier and Northfield, in Cook county, and the county of Lake.

The Eleventh district shall be composed of the counties of DuPage, Kane, McHenry and Will.

The Twelfth district shall be composed of the counties of Boone, DeKalb, Grundy, Kendall, LaSalle and Winnebago.

The Thirteenth district shall be composed of the counties of Carroll, JoDaviess, Lee, Ogle, Stephenson and Whiteside.

The Fourteenth district shall be composed of the counties of Hancock, Henderson, McDonough, Mercer, Rock Island and Warren.

The Fifteenth district shall be composed of the counties of Adams, Fulton, Henry, Knox and Schuyler.

The Sixteenth district shall be composed of the counties of Bureau, Marshall, Peoria, Putnam, Stark and Tazewell.

The Seventeenth district shall be composed of the counties of Ford, Livingston, Logan, McLean and Woodford.

The Eighteenth district shall be composed of the counties of Clark, Cumberland, Edgar, Iroquois, Kankakee and Vermilion.

The Nineteenth district shall be composed of the counties of Champaign, Coles, DeWitt, Douglas, Macon, Moultrie, Shelby and Piatt.

The Twentieth district shall be composed of the counties of Brown, Calhoun, Cass, Greene, Jersey, Mason, Menard, Morgan, Pike and Scott.

The Twenty-first district shall be composed of the counties of Christian, Macoupin, Montgomery and Sangamon.

The Twenty-second district shall be composed of the counties of Bond, Madison, Monroe, St. Clair and Washington.

The Twenty-third district shall be composed of the counties of Clinton, Crawford, Effingham, Fayette, Jasper, Jefferson, Lawrence, Marion, Richland and Wabash.

The Twenty-fourth district shall be composed of the counties of Clay, Edwards, Gallatin, Hamilton, Hardin, Johnson, Massac, Pope, Saline, Wayne and White.

The Twenty-fifth district shall be composed of the counties of Alexander, Franklin, Jackson, Perry, Pulaski, Randolph, Union and Williamson.

§ 2. One representative to the Congress of the United States shall be elected in each of the districts before enumerated on the Tuesday after the first Monday of November in the year of our Lord one thousand nine hundred and two (1902), and one in each of said districts every two years thereafter; such election shall be held, and the returns thereof made and canvassed, in the manner provided by law.

§ 3. Whenever the words "ward" or "wards," in the city of Chicago, are used in this act, they shall be construed as meaning the wards as existing in said city at the time of the passage of this act.

§ 4. An act entitled, "An act to apportion the State of Illinois into twenty-two Congressional districts, and establish the same, and provide for the election of representatives therein," approved June 9, 1893, in force July 1, 1893, is hereby repealed.

APPROVED May 13, 1901.

SENATORIAL.

§ 1. Apportions State into fifty-one senatorial districts.

§ 2. Declines "ward," "street," "avenue" and "boulevard" as used in this act.

§ 3. Repeal.

Approved May 10, 1901.

AN ACT to apportion the State of Illinois into Senatorial districts, and to repeal certain acts therein named.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That until the taking and return of the next Federal census and the apportionment thereunder, as provided in the Constitution, the State of Illinois shall be divided into Senatorial districts, each of which shall be entitled to one Senator and three Representatives, as follows, to-wit:

First—The First and Second wards in the city of Chicago, in the county of Cook, shall constitute the first district.

Second—That part of the Eleventh ward lying north of the center line of Sixteenth street; that part of the Twelfth ward lying north of the center line of Sixteenth street and east of the center line of California avenue, and the Twentieth ward in the city of Chicago, in the county of Cook, shall constitute the Second district.

Third—The Third ward, that part of the Fourth ward lying east of the center line of Halsted street, and that part of the Fifth ward bounded as follows: Beginning at the intersection of Thirty-third street and Union avenue, and running south along the center line of Union avenue to the center line of Thirty-fifth street, thence running east along the center line of Thirty-fifth street to the center line of Parnell avenue, thence running north along the center line of Parnell avenue to the center line of Thirty-third street, thence running west along the center line of Thirty-third street to the place of beginning, and that part of the Sixth ward lying north of the center line of

Forty-third street, said center line being extended easterly to Lake Michigan, in the city of Chicago, in the county of Cook, shall constitute the Third district.

Fourth—The Twenty-ninth and Thirtieth wards, and that part of the Thirty-first ward lying north of the center line of Fifty-seventh place and east of the east line of the right of way of the Chicago, Rock Island and Pacific Railway Company, in the city of Chicago, in the county of Cook, shall constitute the Fourth district.

Fifth—The Sixth ward, except that part thereof lying north of the center line of Forty-third street, said center line being extended easterly to Lake Michigan, and the Seventh ward, except that part thereof lying south of the center line of Sixty-third street, said center line being extended easterly to Lake Michigan, and east of the center line of Cottage Grove avenue, in the city of Chicago, in the county of Cook, shall constitute the Fifth district.

Sixth—The Twenty-fourth ward, that part of the Twenty-fifth ward lying north of the center line of Devon avenue, that part of the Twenty-third ward lying west of the center line of Halsted street, and the Twenty-sixth ward in the city of Chicago; also all that part of the town of Evanston lying outside of the city of Chicago, and those parts of the towns of Niles and New Trier lying within the city of Evanston, all in the county of Cook, shall constitute the Sixth district.

Seventh—The towns of Thornton, Bloom, Rich, Bremen, Orland, Lemont, Palos, Worth, Lyons, Stickney, Proviso, Leyden, Elk Grove, Schaumburg, Hanover, Barrington, Palatine, Wheeling, Northfield, that part of the town of New Trier lying outside of the city of Evanston, that part of the town of Niles lying outside of the city of Chicago and outside of the city of Evanston, and those parts of the towns of Norwood Park and Maine lying outside of the city of Chicago, all in the county of Cook, shall constitute the Seventh district.

Eighth—The counties of Lake, McHenry and Boone shall constitute the Eighth district.

Ninth—That part of the Fourth ward lying west of the center line of Halsted street, the Fifth ward, except that part bounded as follows: Beginning at the intersection of Thirty-third street and Union avenue and running along the center line of Union avenue to the center line of Thirty-fifth street, thence running east along the center line of Thirty-fifth street to the center line of Parnell avenue, thence running north along the center line of Parnell avenue to the center line of Thirty-third street, thence running west along the center line of Thirty-third street to the place of beginning, and that part of the Twelfth ward lying south and east of a line beginning at the intersection of Hoyne avenue and Sixteenth street and running west along the center line of Sixteenth street to the center line of California avenue, thence running south along the center line of California avenue to the north line of the right of way of the Chicago, Burlington and Quincy Railroad Company, thence running in a southwesterly direction along said north line of the right of way of

the Chicago, Burlington and Quincy Railroad Company to the center line to Clifton Park avenue, thence running south along the center line of Clifton Park avenue to the center line of Twenty-fourth street, thence running west along the center line of Twenty-fourth street to the center line of Central Park avenue, and thence running south along the center line of Central Park avenue to the Illinois and Michigan canal, in the city of Chicago, in the county of Cook, shall constitute the Ninth district.

Tenth—The counties of Ogle and Winnebago shall constitute the Tenth district.

Eleventh—The Thirty-first ward, except that part thereof lying north of the center line of Fifty-seventh place and east of the east line of the right of way of the Chicago, Rock Island & Pacific Railway Company, and the Thirty-second ward, in the city of Chicago, in the county of Cook, shall constitute the Eleventh district.

Twelfth—The counties of Stephenson, JoDaviess and Carroll shall constitute the Twelfth district.

Thirteenth—That part of the Seventh ward lying south of the center line of Sixty-third street, said center line being extended easterly to Lake Michigan and east of the center line of Cottage Grove avenue, the Eighth and Thirty-third wards, in the city of Chicago, and that part of the town of Calumet lying outside of the city of Chicago, all in the county of Cook, shall constitute the Thirteenth district.

Fourteenth—The counties of Kane and Kendall shall constitute the Fourteenth district.

Fifteenth—The Ninth ward, except that part thereof lying north and west of a line beginning at the intersection of Morgan and Fourteenth streets and running east along the center line of Fourteenth street to the center line of Johnson street, thence running north along the center line of Johnson street to the center line of Maxwell street, and thence running east along the center line of Maxwell street to the south branch of the Chicago river, the Tenth ward, except that part thereof lying north and west of a line beginning at the intersection of Lafin and Sixteenth streets and running east along the center line of Sixteenth street to the center line of Throop street, thence north along the center line of Throop street to the center line of Fourteenth street, and thence running east along the center line of Fourteenth street to the center line of Morgan street, and that part of the Eleventh ward lying south of the center line of Sixteenth street, in the city of Chicago, in the county of Cook, shall constitute the Fifteenth district.

Sixteenth—The counties of Marshall, Putnam, Livingston and Woodford shall constitute the Sixteenth district.

Seventeenth—That part of the Ninth ward lying north and west of a line beginning at the intersection of Morgan and Fourteenth streets and running east along the center line of Fourteenth street to the center line of Johnson street, thence running north along the

center line of Johnson street to the center line of Maxwell street, and thence running east along the center line of Maxwell street to the south branch of the Chicago river, that part of the Tenth ward lying north and west of a line beginning at the intersection of Laffin and Sixteenth streets and running east on the center line of Sixteenth street to the center line of Throop street, thence running north along the center line of Throop street to the center line of Fourteenth street, and thence running east along the center line of Fourteenth street to the center line of Morgan street, and the Nineteenth ward, in the city of Chicago, in the county of Cook, shall constitute the Seventeenth district.

Eighteenth—The county of Peoria shall constitute the Eighteenth district.

Nineteenth—That part of the Twelfth ward lying north and west of a line beginning at the intersection of Twelfth street and California avenue and running south along the center line of California avenue to the north line of the right of way of the Chicago, Burlington & Quincy Railroad company, and thence running in a southwesterly direction along said north line of the said right of way to the center line of Clifton Park avenue, the Thirteenth and the Thirty-fourth wards, in the city of Chicago, that part of the town of Cicero lying south of the center line of Twelfth street, and the town of Riverside, all in the county of Cook, shall constitute the Nineteenth district.

Twentieth—The counties of Kankakee, Grundy and Iroquois shall constitute the Twentieth district.

Twenty-first—The Fourteenth ward, that part of the Seventeenth ward lying south of a line beginning at the intersection of Ashland avenue and Augusta street and running thence east along the center line of Augusta street to the center line of Holt street, thence running south along the center line of Holt street to the center line of Cornell street, thence running east along the center line of Cornell street to the center line of Milwaukee avenue, thence running southeasterly along the center line of Milwaukee avenue to the center line of Green street, and thence south along the center line of Green street to the center line of Kinzie street, and that part of the Thirty-fifth ward lying south of a line beginning at the intersection of Chicago avenue and Homan avenue and running thence west along the center line of Chicago avenue to the center line of Park avenue, thence south along the center line of Park avenue to the center line of Lake street, and thence running west along the center line of Lake street to the center line of Austin avenue, in the city of Chicago, in the county of Cook, shall constitute the Twenty-first district.

Twenty-second—The counties of Vermilion and Edgar shall constitute the Twenty-second district.

Twenty-third—The Fifteenth ward, that part of the Sixteenth ward, bounded as follows: Beginning at the intersection of North avenue and Ashland avenue and running west on the center line of North avenue to the center line of Robey street, thence running

south along the center line of Robey street to the center line of Division street, thence running east along the center line of Division street to the center line of Ashland avenue, thence running north along the center line of Ashland avenue to the place of beginning, that part of the Thirty-fifth ward lying north of a line beginning at the intersection of Kedzie and Chicago avenues and running west along the center line of Chicago avenue to the center line of Park avenue, thence running south along the center line of Park avenue to the center line of Lake street, and thence, running west along the center line of Lake street to the center line of Austin avenue, in the city of Chicago, and that part of the town of Cicero lying north of the center line of Twelfth street, all in the county of Cook, shall constitute the Twenty-third district.

Twenty-fourth—The counties of Champaign, Piatt and Moultrie shall constitute the Twenty-fourth district.

Twenty-fifth—The Twenty-seventh and Twenty-eight wards in the city of Chicago, in the county of Cook, shall constitute the Twenty-fifth district.

Twenty-sixth—The counties of McLean and Ford shall constitute the Twenty-sixth district.

Twenty-seventh—The Sixteenth ward, except that part bounded as follows: Beginning at the intersection of North avenue and Ashland avenue, and running west on the center line of North avenue to the center line of Robey street, thence running south along the center line of Robey street to the center line of Division street, thence running east along the center line of Division street to the center line of Ashland avenue, thence running north along the center line of Ashland avenue to the place of beginning, that part of the Seventeenth ward bounded as follows: Beginning at the intersection of Ashland avenue and Division street and running south along the center line of Ashland avenue to the center line of Augusta street, thence running east along the center line of Augusta street to the center line of Holt street, thence running south along the center line of Holt street to the center line of Cornell street, thence running east along the center line of Cornell street to the center line of Milwaukee avenue, thence running southeast along the center line of Milwaukee avenue to the center line of Green street, thence running south along the center line of Green street to the center line of Kinzie street, thence running east along the center line of Kinzie street to the north branch of the Chicago river, thence running northwest along the north branch of the Chicago river to the center line of Division street, thence running west along the center line of Division street to the place of beginning, and the eighteenth ward, in the city of Chicago, in the county of Cook, shall constitute the Twenty-seventh district.

Twenty-eighth—The counties of Logan, DeWitt and Macon shall constitute the Twenty-eighth district.

Twenty-ninth—The Twenty-first ward, except that part thereof lying north of a line beginning at the intersection of Goethe and

Sedgwick streets and running east along the center line of Goethe street to the center line of State street, thence running north along the center line of State street to the center line of Schiller street, and thence running along the center line of Schiller street to Lake Michigan, and the Twenty-second ward, except that part thereof lying west of the center line of Halsted street, and except that part of said ward lying north and west of a line beginning at the intersection of North avenue and Sedgwick street and running south along the center line of Sedgwick street to the center line of Sigel street, thence running west along the center line of Sigel street to the center line of Cleveland avenue, thence running south along the center line of Cleveland avenue to the center line of Clybourn avenue, thence running in a northwesterly direction along the center line of Clybourn avenue to the center line of Larrabee street, thence running south along the center line of Larrabee street to the center line of Division street, and thence west along the center line of Division street to the center line of Halsted street, in the city of Chicago, in the county of Cook, shall constitute the Twenty-ninth district.

Thirtieth—The counties of Tazewell, Mason, Menard, Cass, Brown and Schuyler shall constitute the Thirtieth district.

Thirty-first—That part of the Twenty-first ward lying north of a line beginning at the intersection of Goethe and Sedgwick streets and running east along the center line of Goethe street to the center line of State street, thence running north along the center line of State street to the center line of Schiller street, and thence running east along the center line of Schiller street to Lake Michigan, all that part of the Twenty-second ward lying west of the center line of Halsted street and that part of the Twenty-second ward lying east of the center line of Halsted street and north of a line beginning at the intersection of Halsted and Division streets and running east along the center line of Division street to the center line of Larrabee street, thence running north along the center line of Larrabee street to the center line of Clybourn avenue, thence running in a southeasterly direction along the center line of Clybourn avenue to the center line of Cleveland avenue, thence running north along the center line of Cleveland avenue to the center line of Sigel street, and thence running east along the center line of Sigel street to the center line of Sedgwick street, that part of the Twenty-third ward lying east of the center line of Halsted street, and that part of the Twenty-fifth ward lying south of the center line of Devon avenue, all in the city of Chicago, in the county of Cook, shall constitute the Thirty-first district.

Thirty-second—The counties of McDonough, Hancock and Warren shall constitute the Thirty-second district.

Thirty-third—The counties of Rock Island, Mercer and Henderson shall constitute the Thirty-third district.

Thirty-fourth—The counties of Douglas, Coles and Clark shall constitute the Thirty-fourth district.

Thirty-fifth—The counties of Whiteside, Lee and DeKalb shall constitute the Thirty-fifth district.

Thirty-sixth—The counties of Scott, Calhoun, Pike and Adams shall constitute the Thirty-sixth district.

Thirty-seventh—The counties of Henry, Bureau and Stark shall constitute the Thirty-seventh district.

Thirty-eighth—The counties of Greene, Montgomery, Jersey and Macoupin shall constitute the Thirty-eighth district.

Thirty-ninth—The county of LaSalle shall constitute the Thirty-ninth district.

Fortieth—The counties of Christian, Shelby, Fayette and Cumberland shall constitute the Fortieth district.

Forty-first—The counties of DuPage and Will shall constitute the Forty-first district.

Forty-second—The counties of Clinton, Marion, Clay and Effingham shall constitute the Forty-second district.

Forty-third—The counties of Knox and Fulton shall constitute the Forty-third district.

Forty-fourth—The counties of Washington, Randolph, Perry, Monroe and Jackson shall constitute the Forty-fourth district.

Forty-fifth—The counties of Morgan and Sangamon shall constitute the Forty-fifth district.

Forty-sixth—The counties of Jefferson, Wayne, Richland and Jasper shall constitute the Forty-sixth district.

Forty-seventh—The counties of Madison and Bond shall constitute the Forty-seventh district.

Forty-eighth—The counties of Hardin, Gallatin, White, Edwards, Wabash, Lawrence and Crawford shall constitute the Forty-eighth district.

Forty-ninth—The county of St. Clair shall constitute the Forty-ninth district.

Fiftieth—The counties of Franklin, Williamson, Union, Alexander and Pulaski shall constitute the Fiftieth district.

Fifty-first—The counties of Hamilton, Saline, Pope, Johnson and Massac shall constitute the Fifty-first district.

Section 2. Wherever the words "ward" or "wards," or "street" or "streets," or "avenue" or "avenues," or "boulevard" or "boulevards," and all other boundary lines of whatever name or description, in the city of Chicago, are used in this act, they shall be construed as meaning the ward or wards, and street or streets, and avenue or avenues, and boulevard or boulevards, or other proper description; as existing in the said city at the time of the passage of this act.

Section 3. An act entitled, "An act to apportion the State of Illinois into Senatorial districts, and to repeal certain acts therein named," approved June 15, 1893, in force July 1, 1893, and an act

entitled, "An act to amend Sections one (1) and two (2) of an act to apportion the State of Illinois into Senatorial districts, and to repeal certain acts therein named," approved January 11, 1898, in force July 1, 1898, and all acts and parts of acts in conflict herewith are hereby repealed.

APPROVED May 10, 1901.

APPROPRIATIONS.

ARSENAL, ARMORY AND MUSEUM, SPRINGFIELD.

- | | |
|---|---|
| <p>§ 1. Board of Commissioners designated to plan, construct and control.</p> <p>§ 2. Duties of Board of Commissioners.</p> <p>§ 3. Appropriate \$150,000. How drawn—provides for donation of real estate—cost of building not to exceed appropriation, plans and construction, to whom open.</p> | <p>§ 4. Authority to sell "old arsenal."</p> <p>§ 5. Provides for permanent control.</p> <p>§ 6. Real estate to revert, when.</p> <p>Approved May 11, 1901.</p> |
|---|---|

AN ACT making an appropriation for building a State arsenal, armory and museum in the city of Springfield, Illinois, and providing for the control thereof.

WHEREAS, The old State arsenal, located at the city of Springfield, and built in the year 1855, is entirely inadequate for present military purposes; and,

WHEREAS, Large sums are being annually paid out of the State treasury for armory rent, light and fuel for the military organizations located at the city of Springfield, which might well be saved by the construction of a suitable armory; and,

WHEREAS, The demand for more room in the State House may be easily and economically met by removing from it to a suitable building the Agricultural and Natural History Museums; and,

WHEREAS, Divers citizens of the city of Springfield have offered to donate to the State of Illinois block eighteen (18) of the old town plat of the city of Springfield, State of Illinois, excepting so much thereof as is already owned by the State of Illinois, to be used by it in part as a site for an arsenal, armory and museum building; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That a board of commissioners, to consist of the Governor, Secretary of State and Auditor of Public Accounts, hereby constituted for the purpose of planning, constructing and controlling a State arsenal, armory and museum on said block eighteen (18) of the old town plat of the city of Springfield, State of Illinois, for the use of the Illinois National Guard.

§ 2. Said board of commissioners shall exercise the general management, control and supervision of all matters pertaining to acquiring the said site and the erection of said arsenal, armory and museum, and shall make and authorize to be made the necessary contracts for the building, fittings, labor and material required to accomplish the purposes of this act, and shall pay the costs and expenses of the same from the funds hereinafter appropriated for that purpose.

The said board shall, also, upon the completion of said building, make to the next General Assembly of this State a full and detailed report of the transactions and expenditure of said board in discharge of the duties imposed upon said board by this act.

§ 3. The sum of one hundred and fifty-thousand (150,000) dollars is hereby appropriated, or so much thereof as may be necessary, to defray the cost and expenses of the work contemplated by this act, to be paid by the State Treasurer from funds not otherwise appropriated, upon warrants drawn by the Auditor of Public Accounts, which warrants shall be drawn only upon vouchers accompanied by itemized bills signed by the president of said board of commissioners, countersigned by the secretary thereof, and approved by the Governor: *Provided, however,* that no part of said appropriation shall be available and no money shall be drawn from the State treasury, and no expenses shall be incurred in pursuance of this act, until the State of Illinois shall become vested with the fee simple title to said block eighteen (18) of the old town plat of the city of Springfield, State of Illinois, (excepting so much thereof as is already owned by the State of Illinois), and until possession thereof shall be given to the State of Illinois without any cost or expense to the State either for procuring said title of [or] possession: *Provided,* that such building shall be completed and furnished within the appropriation aforesaid, and that the plans and construction of the same shall be open to all architects and contractors.

§ 4. The said board of commissioners are hereby vested with power and authority to sell and convey to the highest bidder, at public sale, the old arsenal now located on North Fifth street, in the city of Springfield, State of Illinois, and the funds received therefrom shall be paid into the State treasury and shall be credited to the general revenue fund of the State.

§ 5. After the completion of said arsenal, armory and museum, the same shall remain permanently under the control of said board as so constituted.

§ 6. In case of a failure of the State of Illinois to erect said arsenal, armory and museum, as herein provided for, the said real estate shall revert back to the original donors thereof.

APPROVED May 11, 1901.

CATTLE SLAUGHTERED TO PREVENT CONTAGION.

Preamble.

§ 1. Appropriates \$10,080.33 to persons enumerated for cattle slaughtered under direction of State Board of Live Stock Commissioners.

§ 2. How drawn.

§ 3. Emergency.

Approved May 11, 1901.

AN ACT to make an appropriation to reimburse Mills Brothers, Edward Duffy and others, and to pay them the full appraised value of cattle slaughtered, under the direction of the State Board of Live Stock Commissioners, in pursuance of the tuberculin test.

WHEREAS, The State Board of Live Stock Commissioners, in the year 1899, through the State veterinarian and his assistants, tested a large number of dairy cattle, with tuberculin, for the discovery of tuberculosis; and,

WHEREAS, A large number of dairymen were induced to have their herds inspected and tested upon alleged misrepresentations by an assistant State veterinarian, to the effect that all herds of dairy cattle would have to be tested after July 1, 1899, and a fee paid therefor; and,

WHEREAS, Payment for said cattle, found inflicted by said disease under the tuberculin test, was made upon a scale of classes fixed by the said State board, and based upon the value of each animal, as disclosed and determined by a post mortem examination, and in nearly all cases was but a small per cent of the apparent value of said cattle, and there was nothing in the appearance of said cattle, or within the knowledge of the owners thereof, to indicate the prevalence of any disease; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of ten thousand eighty dollars and thirty-three cents (\$10,080.33) be, and the same is hereby, appropriated out of the State treasury, not otherwise appropriated, to reimburse and pay in full the appraised value of cattle slaughtered in pursuance of the tuberculin test, in accordance with the report of the State Board of Live Stock Commissioners for the year 1899, to the following named persons in the several and respective sums, as hereinafter stated, to-wit:

To Joseph and David Mills, as Mills Brothers, of Union, Illinois, in the sum of.....	\$873 34
To Edward Duffy, of Huntley, Illinois, in the sum of.....	639 78
To R. Rosenthal, of Lincoln, Illinois, in the sum of.....	145 00
To R. D. Loose, of Springfield, Illinois, in the sum of.....	706 75
To S. Bogardus, of Springfield, Illinois, in the sum of.....	17 00
To O. N. Brass, of Union, Illinois, in the sum of.....	209 53
To F. Leonard, of Union, Illinois, in the sum of.....	49 50
To E. S. Wilcox, of Union, Illinois, in the sum of.....	12 50
To W. R. Thompson, of Springfield, Illinois, in the sum of.....	30 00

To T. A. Ocock, of Union, Illinois, in the sum of.....	\$13 75
To H. T. Thompson, of Union, Illinois, in the sum of.....	537 21
To Clarke & Smiley, of Kankakee, Illinois, in the sum of..	164 00
To C. Fowler, of Ottawa, Illinois, in the sum of.....	397 30
To John W. Rennie, of Union, Illinois, in the sum of.....	64 00
To J.-R. Beasley, of Springfield, Illinois, in the sum of....	25 00
To James Lockwood, of Marengo, Illinois, in the sum of..	52 04
To H. H. Meyer, of Marengo, Illinois, in the sum of.....	80 75
To James Preston, of Marengo, Illinois, in the sum of.....	252 00
To G. D. Hatch, of Marengo, Illinois, in the sum of.....	106 25
To A. W. Thomas, of Union, Illinois, in the sum of.....	10 00
To Charles Hooker, of Union, Illinois, in the sum of.....	398 22
To F. E. Stevens, of Marengo, Illinois, in the sum of.....	349 47
To the Sisters of St. Francis, of Joliet, Illinois, in the sum of	22 50
To Hodge & Bricker, of Normal, Illinois, in the sum of....	354 75
To H. A. Sheldon, of Union, Illinois, in the sum of.....	33 75
To A. H. Penny, of Marengo, Illinois, in the sum of.....	39 00
To Thomas Snow, of Batavia, Illinois, in the sum of.....	37 50
To Kane county for the Kane county alms-house of Geneva, Illinois, in the sum of.....	144 78
To Sidney Wanzer, of Chicago, Illinois, in the sum of.....	37 50
To Mrs. Francis Beidler, of Chicago, Illinois, in the sum of.	23 50
To G. W. Townsend, of Ottawa, Illinois, in the sum of.....	17 50
To J. R. Hunt, of Ottawa, Illinois, in the sum of.....	40 00
To William G. Thornton, of Belvidere, Illinois, in the sum of	201 00
To L. Bogard, of Ottawa, Illinois, in the sum of.....	135 32
To R. J. McCormack, of Geneva, Illinois, in the sum of....	314 34
To Mrs. Ella Brainerd, of Lincoln, Illinois, in the sum of..	56 25
To C. A. Nicholson, of Lincoln, Illinois, in the sum of.....	15 62
To R. Rosenthal, of Lincoln, Illinois, in the sum of.....	41 25
To Robert Kennedy, of Lincoln, Illinois, in the sum of....	29 75
To J. Alvin Case, of Earlville, Illinois, in the sum of.....	611 28
To Frank Reed, of Lockport, Illinois, in the sum of.....	13 75
To George Reisch, of Springfield, Illinois, in the sum of...	23 78
To A. C. Werkle, of Peoria, Illinois, in the sum of	24 70
To John Stevens, of Peoria, Illinois, in the sum of.....	30 00
To William Dennis, of Sandwich, Illinois, in the sum of...	30 00
To John Warner, of Lockport, Illinois, in the sum of.....	10 00
To F. Wombacher, of Peoria, Illinois, in the sum of.....	23 39
To H. B. Gurler, of DeKalb, Illinois, in the sum of.....	22 50
To Fred Racine, of Bartonville, Illinois, in the sum of....	26 00
To Dr. C. A. Palmer, of Princeton, Illinois, in the sum of..	20 00
To Reece Forbes, of Pana, Illinois, in the sum of.....	76 50
To G. E. Patterson, of Owaneco, Illinois, in the sum of....	45 00
To E. O. Downing, of Princeton, Illinois, in the sum of....	20 79
To H. W. Springstun, of Pana, Illinois, in the sum of.....	30 00
To Allan B. Smith, of Rosemond, Illinois, in the sum of...	33 75
To Wilcox & Son, of Rosemond, Illinois, in the sum of.....	33 75
To C. E. Miller, of Vanderville, Illinois, in the sum of.....	30 00

To Mrs. E. P. Simpson, of Rosemond, Illinois, in the sum of	\$45 00
To Z. Burg, of Springfield, Illinois, in the sum of.....	10 00
To Wilcox & Son, of Rosemond, Illinois, in the sum of.....	8 75
To E. O. Downing, of Princeton, Illinois, in the sum of....	30 00
To Palmer & Palmer, of Princeton, Illinois, in the sum of..	69 25
To B. F. Pickrell, of Lanesville, Illinois, in the sum of.....	29 25
To A. B. Nokes, of Springfield, Illinois, in the sum of.....	174 75
To D. H. Ulhorn, of Downers Grove, Illinois, in the sum of.	212 93
To W. T. Schlemm, of Springfield, Illinois, in the sum of..	32 50
To J. Ed Herrin, of Buffalo, Illinois, in the sum of.....	22 50
To Otto Redeker, of Springfield, Illinois, in the sum of.....	32 50
To John Larson, of Joliet, Illinois, in the sum of.....	20 00
To James McLean, of Springfield, Illinois, in the sum of...	327 00
To E. H. Henderson, of Assumption, Illinois, in the sum of.	56 75
To D. T. Miller, of Belleville, Illinois, in the sum of.....	74 34
To Thomas G. Maxwell, of Homer, Illinois, in the sum of..	12 50
To John Luckow, of Belleville, Illinois, in the sum of.....	30 00
To William Miller, of Marengo, Illinois, in the sum of.....	313 67
To R. D. Loose, of Springfield, Illinois, in the sum of.....	196 75
To Dr. B. A. Pierce, of Chicago, Illinois, in the sum of.....	599 00

§ 2. The Auditor of Public Accounts is hereby authorized and directed to issue his warrants upon the State Treasurer for the afore-said sums of money, payable to the said respective parties for the several sums as indicated by section 1 of this act, to each respective party, or to his or their respective legal representatives, and the State Treasurer is hereby authorized to pay the same out of any money in the State treasury.

§ 3. WHEREAS, An emergency exists, therefore this act shall take effect and be in force from and after its passage.

APPROVED May 11, 1901.

CHARITABLE INSTITUTIONS.

IMPROVEMENTS AND REPAIRS.

§ 1. Appropriates \$1,023,524.92 to the State Charitable Institutions as follows:

To the Northern Hospital for the Insane.....	\$70,500 00
To the Eastern Hospital for the Insane.....	111,500 00
To the Western Hospital for the Insane.....	50,000 00
To the Central Hospital for the Insane.....	79,000 00
To the Southern Hospital for the Insane.....	64,000 00
To the Asylum for the In- curable Insane.....	207,674 92
To the Asylum for Insane Criminals	7,500 00

To the Institution for the Education of the Deaf and Dumb.....	\$72,200 00
To the Institution for the Education of the Blind...	13,300 00
To the Asylum for Feeble Minded Children.....	157,900 00
To the Soldiers' and Sailors' Home.....	59,700 00
To the Soldiers' Orphans' Home... ..	11,550 00
To the Soldiers' Widows' Home.....	34,500 00
To the Charitable Eye and Ear Infirmary.....	10,300 00
To the State Home for Juv- enile Female Offenders..	73,930 00

§ 2. How drawn.

Approved May 10, 1901.

AN ACT *making appropriations for the State charitable institutions herein named.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the following sums be, and are hereby, appropriated to the State institutions named in this act, for the purposes herein stated, for the two years beginning July 1, 1901, the sum of \$1,023,524.92, and that said appropriation shall be apportioned between the institutions as follows:

TO THE NORTHERN HOSPITAL FOR THE INSANE, ELGIN.

For addition to amusement hall.....	\$17,000
For making chapel into dormitories.....	5,000
For repairs and improvements, per annum, \$5,000	10,000
Painting, per annum, \$3,000	6,000
Care and improvement of grounds, per annum, \$1,000...	2,000
New beds and furniture	4,000
Extension of cement walks	1,000
Maintenance of library, per annum, \$500.	1,000
Live stock	2,500
Farm buildings and implements	2,000
Fencing	500
One 250 horse power boiler in main heating plant	3,500
Maintenance of steam plant	2,000
For three fire escapes on annex	2,400
Completion of plumbing and renewing of tap wiring in main building.....	2,500
One dynamo and engine to operate the laundry, machine shop, butcher shop, bakery, etc., with motors.....	5,500

One electric pumping outfit	\$1,100
Electric light fixtures.....	1,000
Elevator for infirmary.....	1,500
Total	\$70,500

TO THE EASTERN HOSPITAL FOR THE INSANE, KANKAKEE.

Cement walks.....	\$2,000
Farm teams, live stock, implements	1,500
Furnishing new chapel.....	4,000
Work shop, tools, etc	1,000
Remodeling old amusement hall	4,000
Repairing slate roofs	1,000
Furniture, per annum, \$2,500.....	5,000
Improvement of grounds, per annum, \$2,000	4,000
Pathological laboratory, per annum, \$1,000.....	2,000
Library and reading room, per annum, \$500.....	1,000
General repairs and improvements, per annum, \$20,000..	40,000
New boiler.....	3,500
Painting, per annum, \$2,500.....	5,000
For rebuilding, enlarging and completing the sewerage system for the exclusive use of the Illinois Eastern Hospital for the Insane, the sum of twenty-five thou- sand dollars.....	25,000
<i>Provided</i> , that right of way for the same is granted free of charge by the city of Kankakee.	
For rebuilding farm buildings destroyed by fire	3,000
For lawn irrigation plant.....	500
For gardening, \$2,000 per annum	4,000
For fire escape and fire department.....	5,000
Total	\$111,500

TO THE WESTERN HOSPITAL FOR THE INSANE, WATERTOWN.

For society hall	\$12,500
For male dormitory and furnishing same.....	7,000
For laundry building and equipment	4,500
For parole ward and furnishing same.....	7,000
For improvement of grounds.....	8,500
For refrigerating plant.....	2,500
For library, \$250 per annum.....	500
For repairs and improvements, \$3,000 per annum	6,000
Fencing	1,500
Total	\$50,000

TO THE CENTRAL HOSPITAL FOR THE INSANE, JACKSONVILLE.

Repairs and improvements, per annum, \$10,000.....	\$20,000
Improvements of grounds, per annum, \$1,000.....	2,000
Library, per annum, \$500	1,000
Painting, per annum, \$2,500	5,000
Fencing, per annum, \$1,000.....	2,000
Farm implements, per annum, \$500.....	1,000
Furniture, per annum, \$1,000.....	2,000
Live stock	2,000
Plumbing.....	5,000
Fire escapes	4,000
Infirmary	35,000
Total.....	\$79,000

TO THE SOUTHERN HOSPITAL FOR THE INSANE, ANNA.

Improvements and repairs, per annum, \$15,000.....	\$30,000
Improvements of grounds, per annum, \$3,000	6,000
Library, per annum, \$200	400
New boiler.....	1,500
Cold storage	20,000
Repairs and machinery for laundry	2,500
Farm machinery, per annum, \$500	1,000
Hose and fire apparatus for new cottage	1,000
For two fire escapes on annex.....	1,600
Total.....	\$64,000

TO THE ASYLUM FOR THE INCURABLE INSANE, BARTONVILLE.

For completing the four (4) buildings known as the employes' quarters, domestic building, supply building and boiler house, to complete the unfinished contract of Edward Gleason & Sons.....	\$23,107 30
To liquidate indebtedness incurred on contracts by Gleason & Son, sub-contractors	20,930 74
For material bought by Gleason & Son, used and not paid for	1,279 78
For contracts let by asylum commissioners as trustees for Gleason & Son, under the contract.....	12,020 60
For material bought by asylum commissioners as trustees for Gleason & Son, under contract	7,230 10
For balance due on plumbing contract let by commissioners, not embraced in Gleason & Son's contract....	9,494 00
For completing ice plant, plastering the ceilings of basement and first and second stories of supply building, one platform seven feet wide along the south side of supply building, asbestos for covering pipes, painting pipes in four buildings, shelving, tables, etc., and store rooms in supply and domestic buildings.....	10,000 00

For completing hospital and bath house	\$5,000 00
For completing two dining rooms	2,526 45
For completing nine cottages	926 19
For completing the heating system	20,657 82
For four new boilers and stokers, complete	8,909 72
Due on contracts for laundry machinery	2,736 07
For completing kitchen and bakery fixtures	1,500 00
For furnishing buildings	15,000 00
For filter house and basins	1,750 00
For milk house and equipment	2,500 00
For water supply contracts	14,705 08
For completing water system	10,151 07
For water plant and sinking well	15,000 00
For roads, walks, bridges and grading, none of said roads to exceed twelve feet in width around the buildings, and the roads approaching said buildings not to exceed eighteen feet in width	15,000 00
For power room in boiler house	750 00
For wire screens and guards for windows and doors	3,000 00
Contingent fund for commissioners' expenses, superin- tendence, services of clerks and watchmen, and all other necessary expenses	3,500 00
Total	\$207,674 92

TO THE ASYLUM FOR INSANE CRIMINALS, CHESTER.

For repairs and improvements, per annum, \$1,500	\$3,000 00
For furniture and refurnishing, per annum, \$500	1,000
For water supply, per annum, \$600	1,200
For library, papers and periodicals, per annum, \$200	400
For purchase of cows	300
For electric lighting, per annum, \$500	1,000
For painting, per annum, \$300	600
Total	\$7,500

TO THE INSTITUTION FOR THE EDUCATION OF THE DEAF AND DUMB,
JACKSONVILLE.

For improvements and repairs, per annum, \$8,000	\$16,000
For hospital fund (otological laboratory and expert treat- ment), per annum, \$1,000	2,000
For library fund, per annum, \$500	1,000
For water supply	5,000
For school, library and studio building, complete	25,000
For refrigerator plant, complete	5,000
For dairy herd	1,200

For the purchase of fifty acres of land, more or less, adjacent to the grounds of the institution, being now the property of the Morgan County Fair Association: <i>Provided</i> , that the said association shall submit to the Attorney General for his examination and the Governor for his approval an abstract of title, and that no money shall be paid for the said lands without perfect conveyance of title in fee simple by warranty deed.....	\$15,000
For furniture.....	2,000
Total.....	<hr/> \$72,200

TO THE ILLINOIS INSTITUTION FOR THE EDUCATION OF THE BLIND,
JACKSONVILLE.

For repairs and improvements, per annum, \$2,500.....	\$5,000
For materials for printing department, per annum, \$500..	1,000
For increasing water supply and storage capacity.....	1,000
For maintenance of library and apparatus, per annum, \$400.....	800
For fire escapes for girls' cottage, boys' cottage, shopmen's dormitory and little boys' dormitory.....	2,500
For remodeling and plumbing and drainage of the main building.....	2,500
For remodeling the plumbing and drainage of the boys' cottage, broom shop and gymnasium.....	500
Total.....	<hr/> \$13,300

TO THE ASYLUM FOR FEEBLE-MINDED CHILDREN, LINCOLN.

Repairs and improvements, per annum \$7,500.00.....	\$15,000
Care and improvement of grounds, per annum, \$1,000.00	2,000
Library, per annum, \$450.00.....	900
Completion of new buildings according to original plans	36,500
New building at farm.....	25,000
Infirmary.....	35,000
Cold storage and ice plant.....	20,000
Addition to administration building, kitchen, and the floors for entire kitchen.....	3,000
Two new boilers and furnaces.....	3,500
Grading around new buildings and cement walks.....	6,000
Extension of water mains around new building.....	4,500
Additional barns at farm.....	2,000
Increasing height of smoke stack.....	1,000
Additional electric power.....	3,500
Total.....	<hr/> \$157,900

TO THE SOLDIERS' AND SAILORS' HOME, QUINCY.

For repairs and improvements for two years, including painting, metal ceiling and fencing, per annum, \$12,500	\$25,000
For improvement of grounds for two years, including roads, walks and bridges, per annum, \$1,000.....	2,000
For maintenance of library, per annum, \$600.....	1,200
For seating and furnishing assembly hall.....	3,000
For greenhouse, boiler and heating superintendent's residence	4,000
For addition to hospital and furnishing.....	12,000
For fire protection.....	2,500
For steel tunnel between power-house and kitchen....	2,000
For reconstruction of steam heating plant in cottages and hospital, and new boiler.....	8,000
Total	<u>\$59,700</u>

TO THE SOLDIERS' ORPHANS' HOME, NORMAL.

For library purposes, \$300 per annum.....	\$ 600
For an addition to the cooking school building, furnishing, etc.....	2,000
To equip and furnish a school of industries.....	1,000
To equip and furnish the new hospital.....	500
For one water tube boiler, grates and setting same.....	1,600
For repairs for two years, \$2,500 per annum.....	5,000
For completing sewerage system.....	350
For equipping and furnishing a cooking school building....	500
Total.....	<u>\$11,550</u>

TO SOLDIERS' WIDOWS' HOME, WILMINGTON.

Redecorating, painting, restoration of furniture and general repairs, per annum, \$1,250.....	\$ 2,500
Laundry.....	1,000
Fire escape, hose and ladder.....	500
New wing.....	25,000
Furnishing same.....	3,000
Hospital in new building (furnishing)	500
Extension of lighting system.....	500
Extension of heating system.....	1,500
Total.....	<u>\$34,500</u>

TO THE CHARITABLE EYE AND EAR INFIRMARY, CHICAGO.

For improvements and repairs.....	\$ 5,000
For furniture.....	2,000
For clothing and bedding.....	2,000

For instruments and apparatus.....	\$ 1,000
For library and amusements.....	300
Total.....	\$10,300

TO THE STATE HOME FOR JUVENILE FEMALE OFFENDERS, GENEVA.

For improvement of grounds, per annum, \$500.....	\$ 1,000
For repairs and improvement of buildings, per annum, \$3,000.	6,000
Paroling and discharging girls, per annum, \$500.....	1,000
Library fund, per annum, \$100.....	200
School supplies, per annum, \$200.....	400
Farm, stock, implements and vehicles, per annum, \$500.....	1,000
Medical supplies, per annum, \$250.....	500
Furniture.....	8,000
Enlarging engine house.....	2,000
Boilers for same.....	1,800
Hospital.....	15,000
Cottage.....	18,000
School and chapel.....	12,000
Dynamo.....	2,000
Repairing or making new roof.....	4,000
Altering sewer system.....	1,000
Total.....	\$73,900

§ 2. The moneys herein appropriated shall be due and payable to the trustees of the several institutions herein named, or their order, only on the terms and in the manner now provided by law.

APPROVED May 10, 1901.

CHARITABLE INSTITUTIONS—INDUSTRIAL HOME FOR THE BLIND.

§ 1. Makes appropriations to the Industrial Home for the Blind for the following purposes:

For general repairs.....	\$3,000 00
For grading and sidewalks..	1,500 00
For curbing, grading and paving.....	6,393 20
For two years' medical service.....	300 00
For working capital.....	10,000 00
For ordinary expenses, per annum.....	2,000 00

§ 2. How drawn.

Approved May 11, 1901.

AN ACT making appropriations for the Illinois Industrial Home for the Blind at Chicago.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: That there be, and is, appro-*

apropriated to the Illinois Industrial Home for the Blind, at Chicago, the following amounts, for the purposes hereinafter named:

For general repairs.....	\$3,000 00
For grading and cement walks on W. Nineteenth st. and Douglas blvd.....	1,500 00
For curbing, grading and paving W. Nineteenth st. and Douglas blvd.....	6,393 20
For two years' medical service.....	300 00
For working capital.....	10,000 00
For ordinary running expenses, per annum.....	20,000 00

§ 2. The moneys herein appropriated shall be due and payable to the trustees of the said institution, on their order only, on the terms and in the manner provided by law.

APPROVED May 11, 1901.

CHARITABLE INSTITUTIONS—ORDINARY EXPENSES.

§ 1. Appropriates \$1,649,500 for the ordinary expenses of the State Charitable Institutions for 1901.

§ 2. Appropriates \$1,730,000 for the ordinary expenses of the State Charitable Institutions for 1902.

§ 3. How drawn.

Approved May 10, 1901.

AN ACT *making an appropriation for the ordinary and other expenses of the State charitable institutions herein named.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be, and is hereby, appropriated for the purpose of defraying the ordinary expenses of the State institutions named in this act, for the year beginning July 1, 1901, the sum of \$1,649,500, payable quarterly in advance, and that the said appropriation shall be apportioned between the said institutions as follows: To the

Northern Hospital for the Insane at Elgin.....	\$185,000
Eastern Illinois Hospital for the Insane at Kankakee....	322,000
Western Hospital for the Insane at Watertown.....	78,000
To the Central Hospital for the Insane at Jacksonville...	175,000
Southern Hospital for the Insane, Anna.....	160,000
Asylum for the Incurable Insane at Bartonville.....	50,000
Asylum for Insane Criminals at Chester.....	35,000
Institution for the Education of the Deaf and Dumb at Jacksonville	106,000
Institution for the Education of the Blind, Jacksonville..	50,000
Asylum of Feeble Minded Children, Lincoln.....	182,000
Soldiers' and Sailors' Home at Quincy.....	176,000
Soldiers' Orphans' Home at Normal.....	62,500
Charitable Eye and Ear Infirmary, Chicago.....	32,000
Soldiers' Widows' Home at Wilmington.....	10,000
State Home for Juvenile Female Offenders at Geneva...	26,000

Total \$1,649,500

§ 2. For the purpose of defraying the ordinary expenses of the said State institutions for the year beginning July 1, 1902, the sum of \$1,730,000 is appropriated, payable quarterly in advance, and that the said appropriation shall be apportioned between the said institutions, and at the same rate thereafter until the expiration of the first fiscal quarter after the adjournment of the next General Assembly, as follows:

To the Northern Hospital for the Insane at Elgin.....	\$185,000
To the Eastern Hospital for the Insane, Kankakee.....	322,000
To the Western Hospital for the Insane, Watertown....	91,000
To the Central Hospital for the Insane, Jacksonville....	175,000
To the Southern Hospital for the Insane, Anna.....	160,000
To the Asylum for the Incurable Insane, Bartonville....	112,500
To the Asylum for the Insane Criminals, Chester.....	35,000
To the Institution for the Education of the Deaf and Dumb, Jacksonville.....	106,000
To the Institution for the Education of the Blind, Jacksonville.....	50,000
To the Asylum for Feeble Minded Children, Lincoln....	182,000
To the Soldiers' and Sailors' Home, Quincy.....	176,000
To the Charitable Eye and Ear Infirmary, Chicago.....	32,000
To the Soldiers' Orphans' Home, Normal.....	62,500
To the Soldiers' Widows' Home, Wilmington.....	15,000
To the State Home for Juvenile Female Offenders, Geneva	26,000
Total	\$1,730,000

§ 3. The moneys herein appropriated shall be due and payable to the trustees of the several institutions named, or to their order, only on the terms and in the manner provided in the nineteenth section of an act entitled, "An act to regulate the State charitable institutions and the State Reform School, and to improve their organization and increase their efficiency."

APPROVED May 10, 1901.

COMMISSION MERCHANTS IN CHICAGO.

Preamble.

§ 1. Appropriates \$3,500 to Chicago Commission Merchants for license fees paid State.

§ 2. Appropriates \$108.39 for expenses of commission.

§ 3. How drawn.

Approved May 10, 1901.

AN ACT making an appropriation refunding certain license fees to commission merchants in Chicago.

WHEREAS, By the provisions of an act of the General Assembly of the State of Illinois, "An act to regulate the shipping, consignment and sale of produce, fruits, vegetables, butter, eggs and other products or property and to license and regulate commission merchants,

and to create a board of inspectors, and to prescribe its powers and duties," approved April 24, 1899, there was collected from commission merchants by the board of inspectors organized under the act, the sum of twenty-five dollars for a license to carry on the business of commission merchants; and,

WHEREAS, The aggregate amount so collected is three thousand and seventy-five dollars, which was paid into the State treasury by the board of inspectors, as required by the provisions of said act, and that since the collection and payment of said sum into the State treasury the said act of the General Assembly requiring the collection of the same has been declared unconstitutional and void by the Supreme Court of this State on December 19, 1899; and,

WHEREAS, There was paid from time to time the sum of one hundred and eighty dollars and thirty-nine cents by the commission, so created as aforesaid, for expenses necessarily incurred for rent and maintenance of office, the receipts for said sum now being in the hands of the officers of said commission; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be, and hereby is, appropriated the sum of three thousand and seventy-five dollars (\$3,075) to reimburse the persons or firms named herein for the sums paid by each of them under the provisions of said act, being twenty-five dollars each to the following named persons, to-wit:

Geo. C. Callahan & Co.....	217	S. Water street, Chicago
T. C. H. Wegeforth & Co.....	133	S. Water street, Chicago
Parker Bros.....	85	S. Water street, Chicago
H. B. Hanson & Co.....	272	S. Water street, Chicago
J. H. White & Co.....	106	S. Water street, Chicago
N. H. Barton & Bro.....	195	S. Water street, Chicago
H. F. Merritt & Co.....	174	S. Water street, Chicago
M. George & Co.....	95	S. Water street, Chicago
G. M. H. Wagner & Co.....	165	S. Water street, Chicago
E. Decker & Co.....	163	W. Randolph street, Chicago
P. C. Pears.....	121	S. Water street, Chicago
A. L. McClay & Co.....	141	S. Water street, Chicago
T. W. Cogswell & Co.....	139	S. Water street, Chicago
Miller & Young.....	163	S. Water street, Chicago
Geo. Middendorf & Co.....	135	S. Water street, Chicago
O. E. Whitcomb & Son.....	214	S. Water street, Chicago
Smith, Cordes & Co.....	139	S. Water street, Chicago
M. J. Konold & Co.....	139	S. Water street, Chicago
F. Newhall & Sons.....	131	S. Water street, Chicago
A. H. Barber A Co.....	229	S. Water street, Chicago
Schlosser Bros.....	9252	Chicago avenue, Chicago
R. A. Burnett & Co.....	163	S. Water street, Chicago
E. D. Ball & Co.....	193	S. Water street, Chicago
Mark Owen & Co.....	115	S. Water street, Chicago
W. H. Taylor & Co.....	156	S. Water street, Chicago
F. E. Nellis & Co.....	153	S. Water street, Chicago
Lesserman Bros.....	106	W. Randolph street, Chicago

H. L. Brown & Son	225	S. Water street, Chicago
Bartleme & Stallwood	138	S. Water street, Chicago
Thos. Mason & Son	163	S. Water street, Chicago
S. T. Fish & Co	189	S. Water street, Chicago
C. F. Love & Co	89	S. Water street, Chicago
H. P. Schwennesen	192	S. Water street, Chicago
Geo. T. Kruse & Co.....	131	W. Randolph street, Chicago
Lauterbach & Burdorf.....	198	S. Water street, Chicago
O'Beirne & Egan	182	S. Water street, Chicago
W. T. Long	115	S. Water street, Chicago
Glenn & Anderson.....	26	Fulton market, Chicago
Wendell & Briggs	250	S. Water street, Chicago
H. Schmidt & Bro	215	S. Water street, Chicago
The Grubb Produce Co.....	139	S. Water street, Chicago
M. Uhlmann & Co	193	S. Water street, Chicago
M. Baker & Co	93	S. Water street, Chicago
Wayne & Low	185	S. Water street, Chicago
Dittmann & Schwingbeck	210	W. Randolph street, Chicago
Merrill & Eldredge	126	S. Water street, Chicago
LeFevre & Deisher	220	S. Water street, Chicago
C. S. Brownell & Co	121	S. Water street, Chicago
J. E. Keith & Co	2-4-6	Clark street, Chicago
Brink & Pilot	246	S. Water street, Chicago
Watson & Kelly	258	S. Water street, Chicago
Edward Rueb	164	W. Randolph street, Chicago
Gregson & Fisher	705	W. 63d street, Chicago
Baumann & Lenhart	224	S. Water street, Chicago
Hopkins, Ropp & Co	707	W. 63d street, Chicago
A. M. Mullin	243	S. Water street, Chicago
Wm. H. Thompson & Co	156	S. Water street, Chicago
J. C. & C. R. Scales.....	114	S. Water street, Chicago
Henry Burhop, Jr	2060	N. Ashland avenue, Chicago
Moses Gray & Co.....	249	S. Water street, Chicago
C. H. Hennings & Co	184	W. Randolph street, Chicago
Gallagher Bros	190	S. Water street, Chicago
Eichengreen & Kennedy	197	S. Water street, Chicago
The Sprague Commission Co.....	218	S. Water street, Chicago
B. D. Anguish	165	S. Water street, Chicago
Geo. Beuzeville & Co.....	138	S. Water street, Chicago
The Fearson Fruit & Produce Co.....	141	S. Water street, Chicago
Geo. W. Linn Co	103	S. Water street, Chicago
Skallerup Bros.....	34	Clark street, Chicago
J. H. Palmer & Co.....	183	S. Water street, Chicago
Kluge Bros.....	41	Market street, Chicago
John F. Lalla & Co.....	181	W. Randolph street, Chicago
J. Snyder & Co.....	192	S. Water street, Chicago
Phillip Jaeger.....	1-3	Fulton street market, Chicago
Southern Fruit & Prod. Co.....	4	Clark street, Chicago
Porter Bros.....	97-99	S. Water street, Chicago
The Earl Fruit Co.....	131	S. Water street, Chicago
Earl Bros	157	S. Water street, Chicago

H. L. Crown Co.....	116	W. Randolph street, Chicago
J. E. Hugo Hemman.....	220	S. Water street, Chicago
F. Nickerson & Son.....	134	S. Water street, Chicago
John Schaub & Co.....	238	S. Water street, Chicago
Lepman & Hegge.....	108-110	S. Water street, Chicago
H. Hance & Co.....	232	S. Water street, Chicago
Wm. Ruf & Co.....	152	W. Randolph street, Chicago
Emerson, Marlow & Co.....	87	S. Water street, Chicago
Albert Miller & Co.....	2	S. Clark street, Chicago
C. H. Weaver & Co.....	129	S. Water street, Chicago
T. W. Brennen.....	167	S. Water street, Chicago
C. J. Rademacher & Co.....	152	W. Randolph street, Chicago
Mathias & Decker.....	170	W. Randolph street, Chicago
Geisler & O'Brien.....	150	W. Randolph street, Chicago
Western Cold Storage Co.....	39	N. State street, Chicago
S. S. Borden.....	228	S. Water street Chicago
Cornelius Quinlan.....	9	Fulton market, Chicago
C. S. & M. Van Duesen.....	6	Dearborn street, Chicago
Frank C. Bates & Co.....	210	S. Water street, Chicago
J. Schuldt & Co.....	161	S. Water street, Chicago
J. Neuburger & Co.....	195	S. Water street, Chicago
Edward Davis Co.....	169	S. Water street, Chicago
John Jacobs & Co.....	213	S. Water street, Chicago
Coyne Bros.....	161	S. Water street, Chicago
Spangenberg & Co.....	201	E. Kinzie street, Chicago
N. Heinsen & Co.....	156	W. Randolph street, Chicago
P. C. Porter.....	131	E. Kinzie street, Chicago
A. M. Lewis & Co.....	142-4-6	E. Kinzie street, Chicago
J. L. Smith & Co.....	161	S. Water street, Chicago
Hubbard & Co.....	125-127	Kinzie street, Chicago
J. P. Gross & Co.....	249-251	Kinzie street, Chicago
W. L. Roseboom & Co.....	Cor.	Kinzie & State streets, Chicago
H. A. Schoenen.....	130-132	Michigan street, Chicago
Wm. G. Schultze.....	134	S. Water street, Chicago
Morse & Johnson.....	182-184	Kinzie street, Chicago
S. Lande & Co.....	219	Kinzie street, Chicago
F. Heinze & Co.....	169	S. Water street, Chicago
J. E. Donnelly.....	149	W. Randolph street, Chicago
H. T. Thompson & Co.....	201-209	Michigan street, Chicago
S. M. Little.....	210	S. Water street, Chicago
H. P. Stanley & Co.....	75	S. Water street, Chicago
Nieman Bros.....	195	S. Water street, Chicago
Warner & Holmes.....	66	S. Water street, Chicago
Morton Sieg.....	8	State street, Chicago
Hardesty & Turner.....	231	S. Water street, Chicago

§ 2. That there be, and is hereby, appropriated the further sum of one hundred and eight dollars and thirty-nine cents (\$108.39) to reimburse the officers of said commission as aforesaid, and that as hereinafter mentioned, the Auditor of Public accounts be directed to

make payment of said sum in the manner in which payments were made for expenses of said commission before said law creating same was declared unconstitutional.

§ 3. The Auditor of Public Accounts is hereby authorized to draw his warrant on the State Treasurer, payable to the persons named in this act for the moneys herein appropriated to each of them, respectively, out of the moneys in the treasury, to the credit of the commission merchants' license fund, amounting to one thousand, eight hundred seventy-six dollars and nineteen cents (\$1,876.19), and that the balance or remainder of said warrants be paid out of the general revenue fund.

APPROVED May 10, 1901.

COURTS—APPELLATE COURT BUILDING, MT. VERNON.

§ 1. Appropriates \$2,500 for repairs. | Approved May 11, 1901.

AN ACT making an appropriation to repair the appellate court building for the fourth appellate district, at Mt. Vernon, Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there is hereby appropriated the sum of two thousand five hundred dollars (\$2,500), or so much thereof as may be necessary, for the purpose of putting in new floors and joists in the first story of the appellate court building at Mt. Vernon, Illinois, and for such other repairs as may be necessary on said building. Said repairs to be made under the direction of the clerk of said court, and payment to be made upon bills certified to by said clerk and approved by at least two of the judges of said appellate court.

APPROVED May 11, 1901.

COURT, SUPREME.

§ 1. Appropriates \$1,100 deficiency in contingent expenses. | § 3. Emergency.
Approved May 11, 1901.

§ 2. How drawn.

AN ACT appropriating one thousand one hundred (1,100) dollars as a deficiency for the Supreme Court of the State.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be, and there is hereby, appropriated the sum of one thousand one hundred (1,100) dollars to meet the contingent expenses of the Supreme Court of the State, which have already been incurred and to be incurred before the close of the present fiscal year.

§ 2. The Auditor of Public Accounts is hereby authorized to draw his warrant for the same upon vouchers certified to by any two of the Supreme Judges of the State.

WHEREAS, An emergency exists, therefore this act shall be in force from and after its passage.

APPROVED May 11, 1901.

EDUCATIONAL INSTITUTIONS.

NORMAL SCHOOLS—IMPROVEMENTS AND REPAIRS.

§ 1. Appropriates \$272,600 to the State educational institutions as follows:

To the Northern Illinois State Normal School.....	\$23,575
To the Eastern Illinois Normal School	12,000
To the Western Illinois State Normal School.....	227,950
To the State Normal University	9,120

§ 2. How drawn.

Approved May 10, 1901.

AN ACT making appropriation for the State educational institutions herein named.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the following sums be, and are hereby, appropriated to the State institutions named in this act for the purposes herein stated, for the two years beginning July 1, 1901, the sum of \$272,600, and that the said appropriation shall be apportioned between the said institutions as follows:

TO THE NORTHERN ILLINOIS STATE NORMAL SCHOOL, DE KALB.

For improvement of grounds, \$5,000 per annum.....	\$10,000
For connecting city water works with school.....	1,500
For covering heating pipes with asbestos.....	750
For payment of outstanding note.....	6,500
For one piano.....	325
For equipment of laboratories.....	2,000
For additional furniture.....	1,000
For painting woodwork	500
For museum cases.....	1,000
Total	\$23,575

TO THE EASTERN ILLINOIS NORMAL SCHOOL, CHARLESTON.

For improving grounds, \$3,000 per annum.....	\$6,000
For library.....	3,000
For laboratory.....	2,000
For furniture.....	1,000
Total	\$12,000

TO THE WESTERN ILLINOIS STATE NORMAL SCHOOL, MACOMB.

For seating.....	\$4,000
For boiler house, steam heating plant and fixtures.....	30,000
For teachers' desks	300
For furniture and carpets for principal's, registrar's and reception rooms.....	500
For furnishing library.....	3,000

For window shades.....	\$1,500
For walks, fences and grading.....	8,000
For piano for assembly room.....	400
For typewriter and desk.....	100
For gymnasium, art room and museum.....	900
For laboratories.....	3,000
For catalogues and advertising.....	250
For library.....	1,000
For completing building.....	175,000
Total.....	\$227,950

TO THE STATE NORMAL UNIVERSITY, NORMAL.

City water in all buildings for drinking purposes.....	\$400
Water closets in practice school.....	950
Cement sidewalks about the school.....	750
New radiators in practice school.....	150
New floor in basement of practice school.....	300
Venetian blinds, main building, 3,800 square feet, at 15 cents.....	420
Painting walls in corridors.....	210
Painting ceilings in corridors.....	160
Tile floor in corridors.....	1,200
Maps and charts.....	200
Supply of new chapel hymn books, 300 at 67 cents.....	200
Teachers' desks.....	130
New carpet in office, 110 square yards.....	110
Equipment of physical and chemical laboratories.....	1,000
Equipment of biological laboratory.....	600
Electric fixtures in library and gymnasium building.....	200
Bookstacks, furniture and equipment in library.....	300
Books, additional.....	500
Additional heating fixtures, ventilation, and plumbing gymnasium.....	550
Models and casts for art department.....	350
Grading campus.....	300
Additional walks.....	200
Total.....	\$9,120

§ 2. The Auditor of Public Accounts is hereby authorized and required to draw his warrants upon the State Treasurer for the aforesaid sum of money upon the order of the board of trustees of said educational institutions herein named, signed by the president and attested by the secretary of said board, with the corporate seal of said institution attached, and approved by the Governor.

APPROVED May 10, 1901

EDUCATIONAL INSTITUTIONS—NORMAL SCHOOLS—ORDINARY EXPENSES.

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| <p>§ 1. Appropriates \$160,226.44 for ordinary expenses of State Normal Schools for 1901.</p> <p>§ 2. Appropriates \$193,266.44 for ordinary expenses of State Normal Schools for 1902.</p> <p>§ 3. To Southern Illinois Normal University one-half the interest of college and seminary fund for ordinary expenses.</p> | <p>§ 4. To Illinois State Normal University one-half the interest of college and seminary fund for ordinary expenses. Proviso.</p> <p>§ 5. How drawn.</p> <p>Approved May 10, 1901.</p> |
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AN ACT making appropriation for the ordinary expenses of State educational institutions herein named.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be, and is hereby, appropriated for the purpose of defraying the ordinary expenses of the State institutions named in this act for the year beginning July 1, 1901, the sum of \$160,226.44, payable quarterly in advance, and that the said appropriation shall be apportioned as follows:

To the Northern Illinois State Normal School, DeKalb	\$44,000 00
To the Eastern Illinois State Normal School, Charleston	44,000 00
To the Southern Illinois Normal University, Carbondale	31,000 00
To the State Normal University, Normal.....	41,226 44
Total.....	\$160,226 44

§ 2. For the purpose of defraying the ordinary expenses of the said State institutions for the year beginning July 1, 1902, the sum of \$193,266.44 is appropriated, payable quarterly in advance, and that said appropriations shall be apportioned between the said institutions and at the same rate thereafter until the expiration of the first fiscal quarter after the adjournment of the next General Assembly as follows:

To the Northern Illinois State Normal School, DeKalb	\$44,000 00
To the Eastern Illinois State Normal School, Charleston	44,000 00
To the Southern Illinois State Normal University, Carbondale.....	31,000 00
To the State Normal University, Normal.....	41,226 44
To the Western Illinois Normal at Macomb.....	33,000 00
Total.....	\$193,226 44

§ 3. That there be, and is hereby, further appropriated to the Southern Illinois Normal University at Carbondale, for ordinary expenses, one-half the interest on the college and seminary fund.

§ 4. That there be, and is hereby, further appropriated to the Illinois State Normal University at Normal, for ordinary expenses, one-half of the interest of the college and seminary funds: *Provided*, that the expenses of the model school connected with and forming a

part of the State Normal University shall be paid out of the receipts of the tuition of pupils of said school and not from the above appropriations or any part thereof.

§ 5. The Auditor of Public Accounts is hereby authorized and required to draw up his warrant upon the State Treasurer of said sums appropriated for the ordinary expenses quarterly, as aforesaid, upon the order of the trustees of the said institution, signed by the president and attested by the secretary, with the corporate seal thereto attached: *Provided*, satisfactory vouchers in detail, approved by the Governor, shall be filed quarterly with the said Auditor of Public Accounts for all expenses of the preceding quarter, and no part of the money hereby appropriated shall be due and payable until such vouchers have been filed.

APPROVED May 10, 1901.

EDUCATIONAL INSTITUTIONS.

UNIVERSITY OF ILLINOIS—FIRE LOSS.

Preamble.

§ 1. Appropriates \$76,000 for buildings.

§ 1a. Appropriates \$15,000 for equipment of buildings.

§ 2. Trustees to superintend construction.
Appropriations—How drawn.

Approved May 10, 1901.

AN ACT making an appropriation to make good a fire loss at the University of Illinois.

WHEREAS, On the 9th day of June, 1900, the wood shop, hydraulic laboratory, testing laboratory and gymnasium of the University of Illinois, with the equipments thereof, were totally destroyed by fire, involving the discontinuance of most of the work of these departments for the present university year, and it is important that provision be made therefor by the opening of the university in September, 1901; and

WHEREAS, Plans and estimates which have been prepared show that such fire loss can be made good for the sum of ninety-one thousand dollars (\$91,000); therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of seventy-six thousand dollars (\$76,000) be, and the same is hereby, appropriated to the University of Illinois for the construction of wood shop, hydraulic laboratory, testing laboratory and gymnasium, complete and substantially fire proof.

§ 1a. The sum of fifteen thousand dollars (\$15,000) is hereby appropriated for equipment in the buildings mentioned in section 1.

§ 2. The board of trustees of said university is hereby authorized to proceed forthwith with the construction necessary to make good said loss, and the Auditor of Public Accounts is hereby authorized and directed to draw his warrant on the State Treasurer for the

sum hereby appropriated, payable out of any money in the treasury not otherwise appropriated, upon the order of the board of trustees of said university, attested by its secretary, with the corporate seal of the university, as may be necessary to carry out the purposes of this act.

APPROVED May 10, 1901.

EDUCATIONAL INSTITUTIONS.

UNIVERSITY OF ILLINOIS—INTEREST ON ENDOWMENT FUND.

§ 1. Appropriates sum of money accruing
to State under Act of Congress.

§ 2 How drawn.

Approved May 11, 1901.

AN ACT appropriating to the University of Illinois the money granted in an act of Congress, approved August 30, 1890, entitled, "An act to apply a portion of the proceeds of the public lands to the more perfect endowment and support of the colleges for the benefit of agriculture and the mechanic arts established under the provisions of an act of Congress approved July 2, 1862."

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum or sums of money which may have accrued, or may hereafter, before the first day of July, 1903, accrue to the State of Illinois under the provisions of an act of the Congress of the United States, approved August 30, 1890, entitled, "An act to apply a portion of the proceeds of public lands to the more perfect endowment and support of the colleges for the benefit of agriculture and the mechanic arts established under the provisions of an act of Congress approved July 2, 1862," are hereby appropriated to the University of Illinois, and whenever any portion of the said money shall be received by the State Treasurer it shall immediately be due and payable into the treasury of said university.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant on the Treasurer for the sums hereby appropriated, upon the order of the chairman of the board of trustees of said university, countersigned by its secretary, and with the corporate seal of the said university.

APPROVED May 11, 1901.

EDUCATIONAL INSTITUTIONS.

UNIVERSITY OF ILLINOIS—MISCELLANEOUS.

Preamble.

- § 1. Appropriates \$32,000 for the years 1901 and 1902 for live stock experiments—Supervision of.
- § 2. Appropriates \$20,000 for the years 1901 and 1902 for corn experiments—Experiment stations—Supervision of.
- § 3. Appropriates \$20,000 for the years 1901 and 1902 for examination of soils—Supervision of.
- § 4. Appropriates \$20,000 for the years 1901 and 1902 for orchard treatment—Supervision of.

- § 5. Appropriates \$10,000 for the years 1901 and 1902 for investigation of dairy conditions—Improvement of methods of producing and marketing dairy products—Supervision of.
- § 6. Appropriates \$6,000 for the years 1901 and 1902 for sugar beet experiments—Supervision of.
- § 7. Committees—Meetings of—No compensation other than expenses—Reports.
- § 8. How drawn—Disposition of revenues derived from experiments.

Approved May 10, 1901.

AN ACT to provide appropriations for the equipment of the College of Agriculture and the extension of the work of the Agricultural Experiment Station.

WHEREAS, The State of Illinois has made no appropriations for the equipment of the Agricultural College or the conduct of much needed experiments provided for in this bill; and,

WHEREAS, The Forty-first General Assembly made provisions for the construction of a building for the College of Agriculture; and,

WHEREAS, The preliminary arrangements made for the enlargement of the work of the College of Agriculture have resulted in the increase in number of agricultural students by more than five hundred per cent; and,

WHEREAS, The pressing demands for a larger corps of instructors, and the enlargement of the course of instruction by the farmers of the State, necessitate greatly increased facilities for the College of Agriculture; and,

WHEREAS, Illinois is possessed of unlimited crop and live stock interests, existing under soil and climatic conditions, the most varied and not yet fully understood, and with market conditions most favorable, yet whose exactions and changes are not sufficiently well known; and,

WHEREAS, Certain conditions in the agriculture of the State demand early and particular attention for reasons of public welfare, notably the character and remedies for certain soils known as bogus, dead-dog, hard-pan, etc., and the known fact that milk is produced under more unsanitary conditions than any other article of human food, directly concerning every family of every city and town in the State; and,

WHEREAS, Whatever contributes to the development of the agriculture of the State adds to its revenues and becomes a permanent investment, both public and private; therefore, be it

Resolved, By the various live stock and other agricultural organizations of the State named in this act, that the General Assembly is hereby petitioned to meet the pressing demands of the farmers of the State for the funds necessary to provide the equipment and conduct the experiments outlined; and, therefore:

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That it shall be the duty of the College of Agriculture to maintain typical specimens representing the various market classes and the several pure breeds of live stock, and to give expert instruction in stock judging, and in the most advanced and approved methods of live stock husbandry.

That it shall be the duty of the Agricultural Experiment Station to conduct feeding experiments intended to determine the most successful combinations of stock foods, particularly in Illinois grains and forage crops, and to discover the most economical and successful methods of maintaining animals and fitting them for the markets; to investigate live stock conditions, both at home and abroad, in so far as they affect market values, and to publish the results of such experiments and investigations. That to carry out the provisions of this section there be, and hereby is, appropriated the sum of sixteen thousand dollars (\$16,000) annually for the years 1901 and 1902, of which sum eight thousand (\$8,000) is to be set aside annually for live stock feeding experiments, etc.: *Provided*, that the work undertaken and outlined in this section shall be carried out on lines to be agreed upon by the dean of the College of Agriculture, and a committee of five to be appointed by the Illinois Live Stock Breeders' Association.

§ 2. That it shall be the duty of the Agricultural Experiment Station to conduct experiments in the several sections of the State, in order to discover the best methods of producing corn on the different soils and under the various climatic conditions of the State, and for the purpose of improving the varieties grown for special purposes, combating insects, enemies, etc., and that, to carry out the provisions of this section, there be, and hereby is, appropriated the sum of ten thousand dollars (\$10,000) annually for the years 1901 and 1902: *Provided*, that the work outlined in this section shall be carried out on lines to be agreed upon by the director of the Agricultural Experiment Station and a committee of five to be appointed by the Illinois Corn Growers' Association, the Corn Breeders' Association, and the Illinois Grain Dealers' Association.

§ 3. That it shall be the duty of the Agricultural Experiment Station to make chemical and physical examinations of the various soils of the State, and to determine the character and location of their several classes; to ascertain what crops and treatment are best suited to each; whether the present methods are tending to the preservation or the reduction of their fertility, and what rotation and treatment will be most effective in increasing and retaining the productive capacity of Illinois lands; and that, to carry out the provisions of this section, there be, and hereby is, appropriated the sum of ten thousand dollars (\$10,000), annually, for the years 1901 and 1902: *Provided*,

that the work outlined in this section shall be carried out on lines to be agreed upon by the director of the Agricultural Experiment Station and a committee of five to be appointed by the Illinois Farmers' Institute.

§ 4. That it shall be the duty of the Agricultural Experiment Station to discover and demonstrate the best methods of orchard treatment in the fruit sections of the State, and the most effective remedies for insect and fungous enemies to fruits and trees; and that, to carry out the provisions of this section, there be, and hereby is, appropriated the sum of ten thousand dollars (\$10,000) annually, for the years 1901 and 1902: *Provided*, that the work undertaken and outlined in this section shall be carried out on lines to be agreed upon by the director of the Agricultural Experiment Station and a committee of five to be appointed by the Illinois State Horticultural Society.

§ 5. That it shall be the duty of the Agricultural Experiment Station to investigate the dairy conditions of the State, and to discover and demonstrate improved methods of producing and marketing wholesome milk and other dairy products; and that, to carry out the provisions of this section, there be, and hereby is, appropriated the sum of five thousand dollars (\$5,000) annually, for the years 1901 and 1902: *Provided*, that the work undertaken and outlined in this section shall be carried out on lines to be agreed upon by the director of the Agricultural Experiment Station and a committee of five to be appointed by the Illinois Dairymen's Association.

§ 6. That it shall be the duty of the Agricultural Experiment Station to investigate and demonstrate the best methods of seeding, cultivating and marketing sugar beets on the various soils to be found in the several sections of the State; and that, to carry out the provisions of this section, there be, and hereby is, appropriated the sum of three thousand dollars (\$3,000) annually, for the years 1901 and 1902: *Provided*, that the work undertaken and outlined in this section shall be carried out on lines to be agreed upon by the director of the Agricultural Experiment Station and a committee of five to be appointed by the Illinois Sugar Beet Growers' Association.

§ 7. That the committees representing the several associations herein named shall meet annually at the College of Agriculture at Urbana, at such time as may be designated by the dean of said college, that they shall serve without compensation except for expenses, to be paid out of the respective funds, and that said committees shall make their respective associations, at their annual meetings, full reports of the work in progress under the provisions of this act.

§ 8. That the Auditor of Public Accounts is hereby authorized and directed to draw his warrant on the State Treasurer for the sums herein appropriated upon the order of the chairman of the board of trustees of the University of Illinois, countersigned by its secretary, and with the corporate seal of said university: *Provided*, that no part of the funds herein appropriated shall be used for salaries of teachers: *And, provided further*, that any revenue arising from

the operations of the several sections of this act shall revert to the respective funds from which obtained for further extension of the work outlined. Nothing herein contained shall be deemed to take away from the board of trustees of the University of Illinois the usual authority conferred by law over the expenditure of moneys appropriated to said university. The recommendations of the committee herein provided for shall be advisory, but the use of the moneys herein appropriated shall rest in the discretion of said board for the purposes herein set forth, and said board shall account therefor.

APPROVED May 10, 1901.

EDUCATIONAL INSTITUTIONS.

UNIVERSITY OF ILLINOIS—ORDINARY EXPENSES, ETC.

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| <p>§ 1. Appropriates \$229,000 per annum for taxes, salaries, care of buildings and grounds, ordinary expenses, materials for shop practice, and other items enumerated.</p> | <p>§ 2. Appropriates \$147,330.01 for additions to plant—Trustees to complete within amount appropriated.</p> <p>§ 3. How drawn.</p> |
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Approved May 11, 1901.

AN ACT *making appropriations for the University of Illinois.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be, and is hereby, appropriated to the University of Illinois, for the payment of taxes accruing in the years 1900 and 1901 on lands owned by the State in the state of Minnesota, and held for the use of said university, the sum of one thousand (1,000) dollars per annum.

For the payment of salaries, for the care of buildings and grounds, and for ordinary operating expenses, the sum of one hundred seventy-five thousand (175,000) dollars per annum.

For materials for shop practice, the sum of two thousand (2,000) dollars per annum.

For increase of scientific cabinets and collections, one thousand (1,000) dollars per annum.

For additions to library, ten thousand (10,000) dollars per annum.

For additions to apparatus and appliances, two thousand (2,000) dollars per annum.

For fire protection, one thousand (1,000) dollars per annum.

For laying pavements and walks, four thousand (4,000) dollars per annum.

For maintenance of vaccine laboratory, one thousand (1,000) dollars per annum.

For maintenance and extension of engineering equipment, ten thousand (10,000) dollars per annum.

For painting and repairs on buildings, and improvements to grounds, three thousand (3,000) dollars per annum.

For carrying on State water analyses, three thousand (3,000) dollars per annum.

For draining, fencing, and repairs on the experimental farms, two thousand (2,000) dollars per annum.

For providing additional teachers in the College of Agriculture, and also to meet the demands for instruction at the farmers' institutes, six thousand (6,000) dollars per annum.

For a school of social and political science and industrial economics, the sum of six thousand (6,000) dollars per annum.

For the maintenance of the school of music, the sum of two thousand (2,000) dollars per annum.

§ 2. That there be, and is hereby, appropriated to the University of Illinois the following sums for additions to the plant:

For the payment of deficit in the construction of the agricultural buildings, two thousand eight hundred thirty and one one-hundredth (2,830.01) dollars.

For furnishing and equipping the agricultural buildings, ten thousand (10,000) dollars for the year beginning July 1, 1901.

For construction of a chemical laboratory, and furnishing and equipping the same, one hundred thousand dollars (\$100,000): *And provided further*, that all appropriations herein made for the construction of new buildings, or for alterations or improvements, or extension of buildings heretofore erected, shall be in full for such purpose, and the trustees are hereby required to fully complete the same within the amount or amounts herein appropriated.

For completing the water plant, eight thousand (8,000) dollars.

For reconstructing the old chemical laboratory so as to make it available to the college of law, or the school of music, eight thousand (8,000) dollars.

For the purchase of two small parcels of land surrounded by lands of the university, and needed to make the holdings of the State complete within the general boundary of university grounds, eight thousand five hundred (8,500) dollars.

For additions to the central heating and lighting plant, to meet the demands of the agricultural buildings, the new gymnasium, wood shop, and testing laboratory, ten thousand (10,000) dollars.

§ 3. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant on the Treasurer for the sums hereby appropriated, payable out of any money in the treasury not otherwise appropriated, upon the order of the board of trustees of said university, attested by its secretary, and with the corporate seal of the university:

Provided, that no part of said sum shall be due and payable to said university until satisfactory vouchers in detail, approved by the Governor, shall be filed with the Auditor, for all previous expenditures incurred by the university on account of the appropriation hitherto made:

And, provided further, that vouchers shall be taken in duplicate, and original and duplicate vouchers shall be forwarded to the Auditor of Public Accounts for the expenditure of the sums appropriated in this act.

APPROVED May 11, 1901.

ESTATE OF JUSTICE JESSE J. PHILLIPS.

§ 1. Appropriates \$1,847 for 3 months' and 5 days' salary of the late Justice Phillips to his estate—How drawn. Approved May 11, 1901.

AN ACT to appropriate three months' and five days' pay to the estate of the late Justice Phillips.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of \$1,847.00 be, and is hereby, appropriated for the payment of three months' and five days' salary, from February 16, 1901, to the 21st day of May, 1901, of the late Justice Jesse J. Phillips, one of the justices of the Supreme Court, to his estate, this being [from] the time of his death until the election of his successor; and that the Auditor shall draw his warrant on the State Treasurer in favor of the administrator or administratrix of Jesse J. Phillips for the amount hereby appropriated.

APPROVED May 11, 1901.

EXPOSITION—LOUISIANA PURCHASE—ST. LOUIS.

Preamble.

§ 1. Appropriates \$250,000.

§ 2. Governor to appoint fifteen Commissioners—Powers and duties of Commissioners—Compensation—Secretary—Vacancies.

§ 3. Further powers and duties—Character and preparation of exhibits—Construction of building.

§ 4. Final disposition of buildings and property—Deposit of receipts—Settlement of accounts.

§ 5. How drawn.

Approved May 9, 1901.

AN ACT to provide for the participation of the State of Illinois in the Louisiana Purchase Exposition, to be held in the city of St. Louis during the year 1903, in commemoration of the purchase of the Louisiana territory by the United States from the government of France in the year 1803, and for an appropriation to pay the costs and expenses of the same.

WHEREAS, The Louisiana Purchase Exposition is to be held in the city of St. Louis, in the State of Missouri, during the year 1903, in commemoration of the purchase of the Louisiana territory by the United States from the government of France in the year 1803; and,

WHEREAS, The object of the exposition is the celebrating of the 100th anniversary of the purchase of the Louisiana territory by holding a universal exposition, in which the government and people of foreign nations and states of this Union have been invited to join; and,

WHEREAS, The State of Illinois ranks among the foremost states of the Union, and is afforded a favorable opportunity of exhibiting its extensive resources and thereby increasing its agricultural, manufacturing and industrial interests; therefore:

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be, and is hereby, appropriated the sum of two hundred and fifty thousand dollars (\$250,000) for the purpose of erecting a suitable building for an Illinois headquarters at said exposition and making an exhibit of the resources, commercial advantages, mechanical appliances, educational progress and other interests and industries of the State of Illinois at the said Louisiana Purchase Exposition.

§ 2. There shall be appointed by the Governor, within twenty (20) days after this act shall go into effect, fifteen (15) commissioners, nine (9) of whom shall be from the party casting the largest vote and six (6) from the party casting the next largest vote at the last general election, who shall constitute and are hereby designated the Illinois State Commission at the Louisiana Purchase Exposition. Said commission shall meet at such time and place as the Governor may appoint and organize by the election of a president, a vice president and a secretary. A majority of said commission shall constitute a quorum for the transaction of business. The commission shall have the power to make rules and regulations for its own government, not in conflict with the laws of the State, or with the laws, rules and regulations governing said exposition. The members of said commission shall not be entitled to any compensation except their actual expenses when necessarily absent from their homes on the business of said commission. Said commission is hereby empowered to fix the compensation of its secretary, and to employ such agents and assistants as may be necessary. All vacancies in said commission which occur by death, resignation or otherwise shall be filled by the Governor.

§ 3. Said commission shall have charge of the interests of this State and its citizens in the preparation and exhibition at said exposition of the manufactures, arts and natural and industrial products of the State; the objects, illustrating its history, progress, moral and material welfare, growth, enterprise and development, and all other matters tending to advance the interests, reputation and prosperity of this State at said exposition. It shall collect, obtain and disseminate throughout the State all necessary information regarding said exposition, and, in general, have and exercise full authority in relation to the participation of the State of Illinois and its citizens in the Louisiana Purchase Exposition. Said commission shall have charge of the planning and construction of the Illinois State building and furnishing and maintaining the same.

§ 4. After the Louisiana Purchase Exposition shall have been closed, said commission is hereby authorized to sell, or otherwise dispose of, the buildings and property then on the exposition grounds at St. Louis belonging to the State of Illinois, depositing the money received therefor in the State treasury, and any money in the possession of said commission belonging to the State shall be paid to the State Treasurer, and the accounts of the commission fully settled within six months after the close of said exposition.

§ 5. All payments hereunder shall be upon bill of particulars, certified to by the president and secretary of the commission and approved by the Governor, upon which the Auditor of Public Accounts shall draw his warrant upon the State Treasurer, from time to time, for the sums of money certified to, payable out of the appropriation hereby made.

APPROVED May 9, 1901.

EXPOSITION—PAN-AMERICAN.—BUFFALO.

Preamble.

§ 1. Appropriates \$75,000 for building and other purposes. Proviso.

§ 2. Commissioners—Number—Appointment—Organization—Compensation—Vacancies, how filled.

§ 3. Duties of commission. To plan and construct building.

§ 4. Disposition of buildings and property—Receipts to be deposited in State treasury.

§ 5. How drawn.

§ 6. Emergency.

Approved January 31, 1901.

AN ACT to provide for the participation of the State of Illinois in the Pan-American Exposition.

WHEREAS, The Pan-American Exposition is to be held in the city of Buffalo, in the State of New York, beginning on the 1st day of May, 1901, and closing on the 31st day of October following; and,

WHEREAS, The object of the exposition, which is confined exclusively to the productions of the Western Hemisphere, is to promote and enhance the commercial relations between the Latin-American republics and the United States; and,

WHEREAS, The State of Illinois ranks among the foremost states of the Union, and is afforded a favorable opportunity of exhibiting its extensive resources and thereby increasing its agricultural, manufacturing and industrial interests; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be, and is hereby, appropriated the sum of seventy-five thousand dollars (\$75,000) for the purpose of erecting a suitable building for an Illinois headquarters at said exposition, and making an exhibit of the resources, commercial advantages, mechanical appliances, educational progress and other interests and industries of the State of Illinois at the said Pan-

American Exposition: *Provided*, that of the above amount there is hereby set aside ten thousand dollars (\$10,000), or so much thereof as may be necessary, and the same shall be expended for an exhibit of the agricultural products of the State, and ten thousand dollars (\$10,000), or so much thereof as may be necessary, for an exhibit of the horticultural products of the State, at said exposition.

§ 2. There shall be appointed by the Governor, within twenty (20) days after the passage of this act, seven (7) commissioners, four (4) of whom shall be from the party casting the largest vote and three (3) from the party casting the next largest vote at the last general election, who, together with the two vice-presidents from this State, shall constitute and are hereby designated the Illinois State Commission at the Pan-American Exposition. Said commission shall meet at such time and place as the Governor may appoint and organize by the election of a president, a vice-president and a secretary. A majority of said commission shall constitute a quorum for the transaction of business. The commission shall have the power to make rules and regulations for its own government not in conflict with the laws of this State, or with the laws, rules and regulations governing said exposition. Members of said commission shall not be entitled to any compensation except their actual expenses, not exceeding the sum of eight thousand dollars (\$8,000), when necessarily absent from their homes on the business of said commission. Said commission is hereby empowered to fix the compensation of its secretary and to employ such agents and assistants as may be necessary. All vacancies in said commission which may occur by death, resignation or otherwise, shall be filled by the Governor.

§ 3. Said commission shall have charge of the interests of this State and its citizens in the preparation and exhibition at said exposition of the manufactories, [manufactures,] arts and natural and industrial products of the State, the objects illustrating its history, progress, moral and material welfare, growth, enterprise and development, and all other matters tending to advance the interests, reputation and prosperity of this State at said exposition. It shall collect, obtain and disseminate throughout the State all necessary information regarding said exposition, and in general have and exercise full authority in relation to the participation of the State of Illinois and its citizens in the Pan-American Exposition. Said commission shall have charge of the planning and construction of the Illinois State building and furnishing and maintaining the same.

§ 4. After the Pan-American Exposition shall have been closed, said commission is hereby authorized to sell, or otherwise dispose of, the buildings and property then on the exposition grounds at Buffalo belonging to the State of Illinois, depositing the money received therefor in the State treasury, and any money in the possession of said commission belonging to the State shall be paid to the State Treasurer, and the accounts of the commission fully settled within six months after the close of said exposition.

§ 5. All payments hereunder shall be upon bill of particulars certified to by the president and secretary of the commission and ap-

proved by the Governor, upon which the Auditor of Public Accounts shall draw his warrant upon the State Treasurer from time to time for the sums of money certified to, payable out of the appropriation hereby made.

§ 6. WHEREAS, An emergency exists, therefore this act shall take effect from and after its passage.

APPROVED January 31, 1901.

EXPOSITION—SOUTH CAROLINA INTER-STATE AND WEST INDIAN—
CHARLESTON.

Preamble.

§ 1. Appropriation \$25,000.

§ 2. Commissioners—by whom appointed—
when—number—organization—not to
receive any compensation—vacan-
cies.

§ 3. Duties of commissioners.

§ 4. Disposition of buildings.

§ 5. Appropriation—how drawn.

§ 6. Emergency.

Approved May 11, 1901.

AN ACT to provide for the participation of the State of Illinois in the South Carolina Inter-State and West Indian Exposition, and making an appropriation therefor.

WHEREAS, The South Carolina Inter-State and West Indian Exposition, to be held in the city of Charleston, in the State of South Carolina, beginning on the 1st day of December, 1901, and closing on the 31st day of May following; and,

WHEREAS, The object of the exposition which is confined exclusively to the productions of the Western Hemisphere, is to promote and enhance the commercial relations between the Latin-American republics, the West Indies and the United States; and,

WHEREAS, The State of Illinois ranks among the foremost states of the Union, and is afforded a favorable opportunity of exhibiting its extensive resources, and thereby increasing its agricultural, manufacturing and industrial interests; therefore:

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be, and is hereby, appropriated the sum of twenty-five thousand dollars (\$25,000) for the purpose of erecting a suitable building for an Illinois headquarters at said exposition, and making an exhibit of the resources, commercial advantages, mechanical appliances, educational progress and other interests and industries of the State of Illinois at the said South Carolina Inter-State and West Indian Exposition: *Provided*, that of the above amount there is hereby set aside five thousand (5,000) dollars, or so much thereof as may be necessary, and the sum shall be expended for an exhibit of the agricultural products of the State, and two thousand (2,000) dollars, or so much thereof as may be necessary, for an exhibit of the horticultural products of the State, at said exposition.

SECTION 2. There shall be appointed by the Governor, within twenty (20) days after the passage of this act, seven (7) commissioners, four (4) of whom shall be from the party casting the largest

vote, and three (3) from the party casting the next largest vote at the last general election, who, together with the two vice-presidents from this State, shall constitute and are hereby designated as the Illinois State Commission at the Southern [South] Carolina Inter-State and West Indian Exposition. Said commission shall meet at such time and place as the Governor may appoint and organize by the election of a president, a vice-president and a secretary. A majority of said commission shall constitute a quorum for the transaction of business. The commission shall have the power to make rules and regulations for its own government, not in conflict with the laws of this State, or with the laws, rules and regulations governing said exposition. Members of said commission shall not be entitled to any compensation except their actual expenses, not exceeding the sum of five thousand (5,000) dollars, when necessarily absent from their homes on the business of said commission; said commission is hereby empowered to fix the compensation of its secretary and to employ such agents and assistants as may be necessary. All vacancies in said commission which may occur by death, resignation, or otherwise, shall be filled by the Governor.

§ 3. Said commission shall have charge of the interests of this State and its citizens in the preparation and exhibition at said exposition of the manufactories, [manufactures,] arts and natural and industrial products of the State, the object illustrating its history, progress, moral and material welfare, growth, enterprise and development, and all other matters tending to advance the interests, reputation and prosperity of this State at said exposition. It shall collect, obtain and disseminate throughout the State all necessary information regarding said exposition, and in general have and exercise full authority in relation to the participation of the State of Illinois and its citizens in the South Carolina and Inter-State Indian Exposition. Said commission shall have charge of the planning and construction of the Illinois State building and furnishing and maintaining the same.

§ 4. After the South Carolina Inter-State and West Indian Exposition shall have been closed, said commission is hereby authorized to sell, or otherwise dispose of, the buildings and property then on the exposition grounds at Charleston belonging to the State of Illinois, depositing the money received therefor in the State treasury, and any money in possession of said commission belonging to the State shall be paid to the State Treasurer, and the accounts of the commission fully settled within six months after the close of the said exposition.

§ 5. All payments hereunder shall be upon bill of particulars certified by the president and secretary of the commission and approved by the Governor, upon which the Auditor of Public Accounts shall draw his warrant upon the State Treasurer, from time to time, for the sums of money credited to, payable out of the appropriation hereby made.

§ 6. WHEREAS, An emergency exists, therefore this act shall take effect from and after its passage.

APPROVED May 11, 1901.

FREE EMPLOYMENT OFFICES.

- § 1. Appropriates \$6,380 for deficiency ex- | § 2. How drawn.
penses in Chicago offices.

Approved May 10, 1901.

AN ACT to appropriate money to pay deficiencies in the three State free employment offices located in the city of Chicago.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be, and is hereby, appropriated the sum of six thousand three hundred and eighty (6,380) dollars; one thousand six hundred and eighty (1,680) dollars for the North Side office, three thousand two hundred and fifty-five (3,255) dollars for the South Side office, and one thousand four hundred and forty-five (1,445) dollars for the West Side office, to defray the current expenses of said offices to July 1, 1901.

§ 2. The Auditor of Public Accounts is hereby authorized to draw his warrant upon the State Treasurer for the money herein appropriated upon the presentation of proper vouchers certified by the superintendents of said offices and approved by the Governor.

APPROVED MAY 10, 1901.

GENERAL ASSEMBLY—41ST.

- § 1. Appropriates \$200 to Carl Busse et al. | § 2. How drawn.

Approved May 11, 1901.

AN ACT appropriating money for the payment of expenses and claims of Carl Busse and others in connection with the Forty-first General Assembly.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be, and the same is hereby, appropriated from any funds in the State treasury and not otherwise appropriated, the sum of two hundred dollars (\$200) for the payment of the expenses and claims of the persons herein-after named, as follows:

Carl Busse, expenses as member of committee to visit charitable institutions, \$25.00.

G. E. Martin, expenses as member of committee to visit charitable institutions, \$25.00.

George W. Johnson, member of committee to approve journal, \$50.00.

Francis J. Sullivan, member of committee to approve journal, \$50.00.

W. E. Trautman, member of committee to approve journal, \$50.00.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to issue his warrants upon the State Treasurer for the afore-said sums of money payable to said parties.

APPROVED May 11, 1901.

GENERAL ASSEMBLY, 42D—COMMITTEE EXPENSES.

§ 1. Appropriates \$5,000 to pay expenses of the committees of the 42d General Assembly.

§ 2. Emergency.

Approved January 29, 1901.

AN ACT to make an appropriation for committee expenses of the Forty-second General Assembly.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there is hereby appropriated the additional sum of five thousand (5,000) dollars, or so much thereof as may be necessary, to pay the expenses of the committees of the General Assembly while in the discharge of special duties under direction of either branch thereof; such expense to include reasonable compensation to the sergeant-at-arms of the Senate and the doorkeeper of the House for serving the processes of the Senate or House and of the committees thereof, and such other expenses as is provided by resolution of either house: *Provided*, that no part of the same shall be allowed for railroad fare or expense of any kind not actually incurred.

§ 2. WHEREAS, The funds already appropriated are inadequate, therefore an emergency exists, and this act shall take effect from and after its passage.

APPROVED January 29, 1901.

GENERAL ASSEMBLY, 42D—EMPLOYES.

§ 1. Appropriates \$10,000 to pay employes of the 42d General Assembly—How drawn.

§ 2. Emergency.

Approved January 29, 1901.

AN ACT making appropriations for the payment of the employes of the Forty-second General Assembly.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be, and is hereby, appropriated the sum of \$100,000, or so much thereof as may be necessary, to pay the employes of the Forty-second General Assembly at the rate of compensation allowed by law; said employes to be paid upon rolls certified to by the presiding officers of the respective houses, or by the Secretary of State, approved by the Governor, as provided by law.

§ 2. WHEREAS, The above appropriation is necessary for the transaction of the business of the State therefore an emergency exists, and this act shall take effect from and after its passage.

APPROVED January 29, 1901.

GENERAL ASSEMBLY, 42D—INCIDENTAL EXPENSES.

§ 1. Appropriates \$22,000 for incidental expenses of the 42d General Assembly and to the Secretary of State for the discharge of duties imposed.

§ 2. How drawn.

§ 3. Emergency.

Approved January 29, 1901.

AN ACT to provide for the incidental expenses of the Forty-second General Assembly of the State of Illinois, and for the care and custody of the State House and grounds, to be incurred and now unprovided for.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of \$22,000, or so much thereof as may be required, is hereby appropriated to pay the incidental expenses of the Forty-second General Assembly, or either branch thereof, or to be expended by the Secretary of State in the discharge of the duties imposed upon him by law, or by the direction of the General Assembly, or either branch thereof. All expenditures to be certified to by the Secretary of State and approved by the Governor.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrants upon the State Treasurer for the sums herein specified upon presentation of proper vouchers, and the State Treasurer shall pay the same out of any funds in the State treasury not otherwise appropriated.

§ 3. WHEREAS, The appropriation above recited is necessary for the expenses incurred in the transaction of the business of the State and the Forty-second General Assembly, therefore an emergency exists, and this act shall take effect from and after its passage.

APPROVED January 29, 1901.

ILLINOIS AND MICHIGAN CANAL.

§ 1. Appropriates \$150,000 for repairs and maintenance of canal; \$50,000 for immediate use—how drawn—balance of appropriation held for an emergency.

§ 2. Emergency appropriation—how drawn.

§ 3. Emergency fund—annual report to Governor.

Approved May 11, 1901.

AN ACT making an appropriation for the necessary and extraordinary repairs and protection of the Illinois and Michigan Canal.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That for the purpose of making necessary and extraordinary repairs, and providing means for maintaining the Illinois and Michigan Canal in a navigable condition, there is hereby appropriated the sum of one hundred and fifty thousand dollars: *Provided*, that the said canal commissioners may only use the sum of fifty thousand dollars of this appropriation for the immediate extraordinary repairs and protection necessary to keep the said canal in a proper and navigable condition and preserve the

same from damage, which sum of fifty thousand dollars shall be paid to the treasurer of the board of canal commissioners upon the order of said commissioners, and the treasurer of said board filing his receipt therefor with the Auditor, who shall, upon the filing of said receipt with him by the treasurer of said board, issue his warrants upon the State Treasurer for the said sum of fifty thousand dollars, which sum shall be used by said canal commissioners for the purposes herein stated, and under the rules and regulations of said board.

Provided further, that the remaining one hundred thousand dollars of this appropriation shall remain in the State treasury and be held as a contingent appropriation to be used only by said canal commissioners in case of an unforeseen emergency, and to keep said canal in a proper and navigable condition and preserve the same from damage.

§ 2. The emergency appropriation made by this act shall only be paid out upon a detailed statement made by the canal commissioners showing the need therefor, filed with the Auditor bearing the order of said canal commissioners and approved by the Governor.

§ 3. Said board of canal commissioners shall keep an accurate account of the amount of such emergency appropriation received by them, if any, together with their disbursements and expenditures of such emergency appropriation, if any, showing for what and how said sum was expended, which report shall accompany their annual report to the Governor and be made a part thereof.

APPROVED May 11, 1901.

ILLINOIS DAIRYMEN'S ASSOCIATION.

§ 1. Appropriates \$1,500 per annum for compiling, publishing and distributing reports, and other expenses.

§ 2. How drawn.

Approved May 11, 1901.

AN ACT making an appropriation in aid of the Illinois Dairymen's Association.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of one thousand five hundred dollars (\$1,500) per annum be, and the same is hereby, appropriated to aid the Illinois Dairymen's Association in compiling, publishing and distributing its report, and other necessary expenses.

§ 2. The Auditor of Public Accounts is hereby authorized to draw his warrant upon the State Treasurer for the sum in this act specified, on bills of particulars certified to by the officials of said association, to the order of the president of said association, and the State Treasurer shall pay the same out of any funds in the State treasury not otherwise appropriated.

APPROVED May 11, 1901.

ILLINOIS FARMERS' INSTITUTES—STATE AND COUNTY.

Preamble.

§ 1. Makes appropriation.

§ 2. Office expense, etc., \$1,300 per annum.

§ 3. Miscellaneous, \$1,700 per annum.

§ 4. Libraries, etc., \$2,500 per annum.

§ 5. County Institutes, lecturers, etc.,
\$5,000 per annum.

§ 6. Each county farmers' institute, \$75 per annum.

§ 7. Officers to receive no compensation.

§ 8. How drawn—Programs—Topics to be discussed—Provisos.

§ 9. Treasurer of State Institute—Duties—Report to Governor.

Approved May 10, 1901.

AN ACT *making appropriation of [for] the Illinois Farmers' Institute and county farmers' institutes.*

WHEREAS, To assist and encourage useful education among farmers and for developing the agricultural resources of the State, the thirty-ninth General Assembly created an organization under the name and style of the Illinois Farmers' Institute, and intrusted to it the development of greater interest in the cultivation of crops, in the breeding and care of domestic animals, in dairy husbandry, in horticulture, in farm drainage, in improvement of highways and general farm management, through and by means of liberal discussions of these and kindred subjects, and for improving the condition of the farmer by affording a better knowledge of successful agriculture; therefore, to sustain the same,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be, and is hereby, appropriated to the Illinois Farmers' Institute the following sums, to-wit:

§ 2. For expressage, postage, office expenses, furniture, etc., the sum of one thousand three hundred dollars (\$1,300) per annum for the fiscal year[s] beginning July 1, 1901 and 1902.

§ 3. For the expenses of collecting matter and preparing manuscript, editing the annual report and bulletins, stenographer, clerk hire, etc., the sum of one thousand seven hundred dollars (\$1,700) per annum for the fiscal years beginning July 1, 1901 and 1902.

§ 4. For the purchase of books for and the maintenance and management of the Illinois Farmers' Institute free libraries, the sum of two thousand five hundred dollars (\$2,500) per annum for the fiscal years beginning July 1, 1901 and 1902.

§ 5. For the actual expenses of district directors and of able and practical speakers to be furnished by the Illinois Farmers' Institute to county farmers' institutes, for the purpose of assisting in making their meetings of more general interest and of greatest practical benefit, for the expense of organizing county institutes, for the expense of printing program, advertising of speakers and exhibit at the State Institute, the sum of five thousand dollars (\$5,000) per annum for the fiscal years beginning July 1, 1901 and 1902: *Provided*, that county institutes, or their representatives, shall be permitted to select their own speakers and to have such topics for consideration as shall be of interest to their respective localities.

§ 6. For the use of each county farmers' institute, the sum of seventy-five dollars (\$75) per annum for the fiscal years beginning July 1, 1901 and 1902, to be paid the treasurer of each county farmers' institute when such institute shall file with the secretary of the Illinois Farmers' Institute a sworn statement which shall show that said county farmers' institute has held one or more duly advertised public sessions annually, of not less than two days' each, at some easily accessible location, which shall include an itemized exhibit of the expenses of said meeting, with receipted vouchers therefor, a copy of its printed program, and the printed proceedings, showing title and author of the papers read and by whom discussed, place or places of meeting, with average daily attendance, and such other information as may be called for by the Illinois Farmers' Institute and necessary to successfully assist this work.

§ 7. No officer nor officers of any county farmers' institute shall be entitled to or receive any moneyed compensation whatever for any service rendered the same.

§ 8. That on the order of the president, countersigned by the secretary, of the Illinois Farmers' Institute, and approved by the Governor, the Auditor of Public Accounts shall draw his warrant on the Treasurer of the State of Illinois in favor of the treasurer of the Illinois Farmers' Institute for the sum herein appropriated: *Provided*, that each warrant on account of a county farmers' institute shall show the county institute for whose benefit the same is drawn: *Provided, further*, that the program and printed proceedings of the county farmers' institute for which each warrant is drawn shall show that some of the following topics have been presented and discussed, viz: Grain farming, stock feeding and breeding, dairy husbandry, orchard and small fruit culture, farmers' garden, domestic science, and any other subjects pertaining to farm life: *Provided, further*, that if the necessary expense of a county farmers' institute shall not equal the sum of seventy-five dollars (\$75), as aforesaid, then said warrant shall only be drawn for the sum expended.

§ 9. It shall be the duty of the treasurer of the Illinois Farmers' Institute to pay over to the treasurer of each county farmers' institute the said sum of seventy-five dollars (\$75), or so much thereof as may be received for its use and benefit, as aforesaid, and make annual report to the Governor as provided by law.

APPROVED May 10, 1901.

ILLINOIS FIREMEN'S ASSOCIATION.

Preamble.

§ 1. Appropriates \$500 per annum for printing, postage, expenses of annual meeting, etc.

§ 2. No part of appropriation to be used for salaries.

§ 3. Secretary and treasurer to make annual statement to the Governor.

§ 4. How drawn.

Approved May 11, 1901.

AN ACT *making an appropriation for the benefit, aid and maintenance of the Illinois Firemen's Association.*

WHEREAS, The Illinois Firemen's Association is an organization representing the firemen, and especially the volunteer firemen, of the State, and is organized under the laws of this State; and,

WHEREAS, The aims of the Illinois Firemen's Association are the education of firemen in the fire service, and the betterment of the service in the several towns and cities of the State, for which purposes annual meetings are held for the discussion of topics on the subject and the hearing of suggestions that are of great value to the membership (made up of the fire departments of the State of Illinois); therefore, to help sustain this organization in the holding of its annual meetings and the printing of its reports, and to otherwise promote the usefulness of this meritorious organization, the fire-fighters, who voluntarily give their service in the protection of lives and homes;

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be, and is hereby, appropriated to the Illinois Firemen's Association the following sums, to-wit: For the printing and distribution of its programs, postage, stationery, expenses of the annual meeting, the dissemination of information pertaining to the business of the association, the sum of five hundred dollars (\$500) per annum.

§ 2. No part of the said five hundred dollars (\$500) shall be paid as a salary to any officer of the Illinois Firemen's Association.

§ 3. The secretary and treasurer of the said association shall make an annual statement to the Governor on or before January 1 of each and every year of the disposition of the said appropriation.

§ 4. The State Auditor is hereby authorized to draw his warrant for the sum herein specified and deliver the same to the president and treasurer of the Illinois Firemen's Association upon their presenting proper voucher for the same, signed by the president and secretary of said association, and the State Treasurer shall pay the same out of any money in the State treasury not otherwise appropriated.

APPROVED May 11, 1901.

ILLINOIS LIVE STOCK BREEDERS' ASSOCIATION.

Preamble.

§ 1. Appropriates \$500 per annum for printing reports, programs, postage, expense of speakers, etc.

§ 2. No officer to receive compensation.

§ 3. How drawn.

§ 4. Duty of treasurer of association.

Approved May 11, 1901.

AN ACT *making appropriation for the expense of the Illinois Live Stock Breeders' Association.*

WHEREAS, The Illinois Live Stock Breeders' Association, representing the farmers interested in the breeding and feeding of cattle, horses, sheep and swine, have rendered the State valuable services in promoting the live stock industry; and,

WHEREAS, The farmers of the State will be greatly benefited by the continuance of the annual meetings of the Illinois Live Stock Breeders' Association and the further consideration of all topics pertaining to the live stock industry; therefore, to sustain the same and to enable this organization to secure as speakers the best available talent for its annual meetings, disseminate useful knowledge and to otherwise promote the great and growing industry of Illinois:

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be, and hereby is, appropriated to the Illinois Live Stock Breeders' Association the following sums, to-wit: For printing and distributing reports, programs, postage, stationery, expenses of speakers, etc., the sum of five hundred dollars (\$500) per annum for the years 1901 and 1902.

§ 2. No officer or officers of the Illinois Live Stock Breeders' Association shall be entitled to or receive any money compensation whatever for any service rendered for the same.

§ 3. That on order of the president, countersigned by the secretary, of the Illinois Live Stock Breeders' Association, and approved by the Governor, the Auditor of Public Accounts shall draw his warrant on the Treasurer of the State of Illinois in favor of the treasurer of the Illinois Live Stock Breeders' Association for the sums herein appropriated.

§ 4. It shall be the duty of the treasurer of the Illinois Live Stock Breeders' Association to pay out of said appropriation, on itemized and receipted vouchers, such sums as may be authorized by said organization, on the order of the president, countersigned by the secretary, and make annual report to the Governor of all expenditures as provided by law.

APPROVED May 11, 1901.

ILLINOIS HISTORICAL LIBRARY.

- § 1. Appropriates \$2,500 for copies, etc., relating to the northwest and the State of Illinois.
Approved May 10, 1901.

AN ACT making an appropriation for procuring documents, papers and materials and publications relating to the northwest and the State of Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of two thousand five hundred dollars (\$2,500) be, and the same is hereby, appropriated for the purpose of procuring copies of documents, papers, materials and publications relating to the northwest and the State of Illinois, and publishing the same; the same to be expended by the trustees of the Illinois Historical Library with the sanction of the Governor.

APPROVED May 10, 1901.

ILLINOIS HORTICULTURAL SOCIETY.

- § 1. Appropriates to State Horticultural Society \$5,000 per annum, provides for secretary's salary and field experiments. Approved May 10, 1901.

AN ACT making an appropriation in aid of the Illinois State Horticultural Society.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be, and is hereby, appropriated for the use of the Illinois State Horticultural Society the sum of five thousand dollars (\$5,000) per annum, for the purpose of advancing the growth and development of the horticultural interests of the State, for the years 1901 and 1902, said sum to be expended by said society for the purpose and in the manner specified in "An act to reorganize the Illinois State Horticultural Society," approved March 24, 1874: *Provided, however,* that no portion thereof shall be paid for or on account of any salary or emoluments of any officer of said society, except the secretary, who may receive not to exceed four hundred dollars (\$400) per annum: *And, provided further,* that at least one thousand dollars (\$1,000) of said sum be expended each year by said board in field experiments.

APPROVED May 10, 1901.

ILLINOIS POULTRY, PIGEON AND PET STOCK ASSOCIATION.

- § 1. Appropriates \$1,000 annually for years 1901 and 1902 for premiums and expenses—How drawn. Approved May 11, 1901.

AN ACT to appropriate two thousand dollars (\$2,000) for the State Poultry, Pigeon and Pet Stock Association of the State of Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of one thousand dollars (\$1,000) per annum, for the years 1901 and 1902, is hereby ap-

propriated out of any money in the State treasury not otherwise appropriated for the use and benefit of said association, and the State Auditor is hereby authorized to draw his warrant for the same and deliver to the treasurer of the Illinois State Poultry, Pigeon and Pet Stock Association, upon his presenting proper receipt therefor, certified to by the president and secretary of said association, under seal of such corporation; said amount to be used for the purpose of paying premiums and defraying the expenses incurred in holding the annual exhibition, such as getting out premium lists, and for such other purposes as, in the judgment of the officers, shall best subserve the poultry interests of the State of Illinois.

APPROVED May 11, 1901.

MONUMENTS—BATTLEFIELD OF SHILOH.

§ 1. Amends sections 1, 2, and 4, act of 1899.

§ 1. Appropriates \$6,500.

§ 2. Commissioners' duties. Cost of monuments limited—Purchase of sites—Memorial to General W. H. L. Wallace.

§ 4. How drawn.

Approved April 8, 1901.

AN ACT to amend Sections 1, 2 and 4 of an act entitled, "*An act to provide for the erection of monuments to mark the positions occupied by the Illinois volunteers in the battle of Shiloh, Tennessee, and to make an appropriation to pay for the same, and to pay the expenses of the commissioners,*" approved April 24, 1899, in force July 1, 1899.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That Sections one (1), two (2) and four (4) of an act entitled, "*An act to provide for the erection of monuments to mark the positions occupied by Illinois volunteers in the battle of Shiloh, Tennessee, and to make an appropriation to pay for the same, and to pay the expenses of the commissioners,*" approved April 24, 1899, in force July 1, 1899, be amended so as to read as follows, to-wit:

§ 1. That for the purpose of perpetuating the memory of those who participated in, and designating by proper monuments of granite the positions of the several commands of Illinois volunteers engaged in the battle of Shiloh, Tennessee, and to cover the actual expenses of the commissioners appointed by virtue of an act of the Fortieth General Assembly, for the purpose of locating the positions occupied by the volunteers from this State on the battlefield of Shiloh, the sum of sixty-five thousand dollars (\$65,000), or as much thereof as may be necessary, be, and the same is hereby, appropriated out of any money in the State treasury not otherwise appropriated.

§ 2. That the commissioners heretofore appointed to mark the position occupied by the Illinois troops in the battle of Shiloh, or those who may hereafter be appointed, are hereby authorized and

empowered to make contracts for the construction, delivery and erection upon said battlefield of one monument for each regiment of infantry, and one monument for each battery of Illinois volunteers who participated in said battle; such monuments to be made entirely of granite and appropriately inscribed, at a cost of not exceeding seven hundred and fifty dollars for each of said monuments complete and placed in its final position, and one monument that shall appropriately represent all the detachments of Illinois cavalry who participated in the battle; the cost of such monument not to exceed the sum of three thousand dollars (\$3,000). One monument shall be erected that shall appropriately represent the State of Illinois. The site of such monument and the cost thereof shall be left to the discretion of the commissioners: *Provided*, such cost shall not exceed the sum of twenty thousand dollars (\$20,000). There may also be erected, marking the spot where Major General W. H. L. Wallace fell, a suitable memorial or monument, the cost not to exceed one thousand (1,000) dollars.

§ 5. The Auditor of Public Accounts is hereby authorized and directed to draw his warrants on the treasury upon the presentation to him of proper vouchers signed by the president and secretary of the Shiloh Battlefield Commission, and approved by the Governor and Adjutant General, in payment for said monuments and expenses.

APPROVED April 8, 1901.

MONUMENTS—BATTLEFIELD, VICKSBURG.

§ 1. Appointment of commission.

Approved May 11, 1901.

§ 2. Appropriates \$2,000 for expenses of commissioners—how drawn.

AN ACT authorizing the appointment of a commission to ascertain and mark the position occupied by Illinois troops in the siege of Vicksburg, and to make an appropriation to pay the personal expenses of said commission.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the Governor of the State be, and is hereby, authorized to appoint a commission of eighteen (18) persons, not more than nine (9) of whom shall be selected from the same political party, each of whom was present and participated in the siege of Vicksburg, who shall serve without compensation, and whose duty it shall be to coöperate with the National commission in ascertaining and marking the positions occupied during said siege by each regiment, battery and independent organization from this State. And for this purpose they shall avail themselves of the knowledge and assistance of the representatives of such regiments, batteries and other organizations.

§ 2. The sum of two thousand dollars (\$2,000) is hereby appropriated to pay the personal expenses of the members of said commission in the discharge of their duties aforesaid, and the Auditor of Public Accounts is hereby authorized to draw his warrant upon the State Treasurer for so much of the sum herein appropriated as may be necessary for the use aforesaid, on bills of particulars certified by said commission and approved by the Governor; and the State Treasurer shall pay the same out of any funds in the State treasury not otherwise appropriated.

APPROVED May 11, 1901.

MONUMENT—DOUGLAS, CHICAGO.

§ 1. Appropriates \$3,500 for repairing Douglas monument in Chicago.

§ 2. How drawn.

Approved May 10, 1901.

AN ACT making an appropriation for the repair of the Douglas monument, Chicago, Ills.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of thirty-five hundred dollars (\$3,500), or so much thereof as is necessary, be, and the same is hereby, appropriated for the purpose of making repairs upon the Douglas monument in the city of Chicago.

§ 2. The moneys herein appropriated shall be paid upon bills of particulars, certified to by the commissioners or trustees of the Douglas Monument Association, and the Auditor of Public Accounts is hereby authorized to issue his warrant upon the State Treasurer for the amounts so certified, and the State Treasurer is hereby authorized to pay the same in moneys in the State treasury not otherwise appropriated.

Approved May 10, 1901.

MONUMENT—JOHN RECTOR, SALINE COUNTY.

Preamble.

§ 1. Appropriates \$250 for monument or marking stone to memory of John Rector.

§ 2. How drawn. Provisions.

Approved May 11, 1901.

AN ACT making an appropriation of two hundred fifty (250) dollars for the erection of a monument or marking stone to the memory of John Rector.

WHEREAS, Among the early settlements of the State of Illinois, Shawneetown was recognized, and from which, as a land office, United States survey made of the land then occupied by Indians; and,

WHEREAS, John Rector, United States surveyor, heading a party making a survey of that part of Gallatin county (now a part of Saline county, known as Rector township), was killed by Indians on Rector

creek, and buried at night by his comrades, sixty-two (62) degrees seventy-two (72) poles from section corners of sections twenty-seven (27), twenty-eight (28), thirty-three (33) and thirty-four (34), township south, range east P. M., May 25, 1805; and,

WHEREAS, A Rector Monument Association has been formed for the purpose of erecting a monument at the place of interment in memory of the daring pioneer surveyor; therefore, be it

Resolved, By the House of Representatives, the Senate concurring herein, that in recognition of the valor displayed by the said John Rector, the sum of two hundred fifty (250) dollars be appropriated to erect a suitable monument to his memory; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*: That the sum of two hundred fifty (250) dollars, be, and is hereby, appropriated out of any money in the State treasury not otherwise appropriated for the erection of a monument or marking stone to the memory of John Rector, who was killed by Indians May 25, 1805, and interred, according to the records of the United States survey, sixty-two (62) degrees west, seventy-two (72) poles of section corners of sections twenty-seven (27), twenty-eight (28), thirty-three (33) and thirty-four (34), township seven (7) south, east of the third principal meridian, in now Saline county, Illinois.

§ 2. The Auditor of Public Accounts is hereby authorized to draw his warrant for the sum of two hundred fifty (250) dollars hereby appropriated payable to the treasurer of the John Rector Monument Association, to be paid out by said Treasurer on the order of the president, and signed by the secretary of said association: *Provided*, the said Auditor shall not draw his warrant as aforesaid until the president and the secretary of said association shall duly certify to him that the sum of two hundred fifty (250) dollars has been raised by popular subscription, and that the said association will erect and complete by August 1, 1902, a monument or marking stone as aforesaid to cost five hundred (500) dollars, using said proposed subscription of two hundred fifty (\$250) [dollars] and the two hundred fifty (250) [dollars] herein appropriated for that purpose.

APPROVED May 11, 1901.

MONUMENT—LINCOLN—SPRINGFIELD.

§ 1. Appropriates \$1,500 for deficiency in ordinary expenses of Board of Commissioners.

§ 2. How drawn.

§ 3. Emergency.

Approved May 11, 1901.

AN ACT to provide for a deficiency in the ordinary expenses of the Board of Commissioners of and for the Lincoln Monument grounds.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*: That the sum of one thou-

sand five hundred (1,500) dollars, or so much thereof as may be necessary, be, and is hereby, appropriated to meet a deficiency in the ordinary expenses of the Board of Commissioners of and for the Lincoln Monument grounds.

§ 2. The moneys hereby appropriated shall be due and payable to the said commissioners, or their order, only on the terms and in the manner now provided by law.

§ 3. WHEREAS, The money hereby appropriated is needed at once for the payment of debts already contracted; therefore, an emergency exists, and this act shall take effect from and after its passage.

APPROVED May 11, 1901.

MONUMENT—STILLMAN VALLEY, OGLE COUNTY.

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| <p>§ 1. Appropriates \$5,000 for a monument at Battlefield of Stillman's Run.</p> <p>§ 2. Battle Ground Memorial Association to supervise erection—Appropriation—How drawn.</p> | <p>Approved May 11, 1901.</p> |
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AN ACT appropriating five thousand dollars (\$5,000) to defray the expenses of erecting a monument at Stillman Valley to the memory of Captain John G. Adams and others.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be, and there is hereby, appropriated out of the funds now in the State treasury the sum of five thousand dollars (\$5,000) for the purpose of defraying the expenses of erecting in the village of Stillman Valley, Ogle county, Illinois, a suitable monument to the memory of Captain John G. Adams and the devoted band of volunteers who were killed by the Indians May 14, 1832, at the battle of Stillman's Run.

§ 2. The Battle Ground Memorial Association of said Stillman Valley, a corporation organized and existing under the laws of this State, shall have the charge and direction of the erection of such monument, and the Auditor of Public Accounts is hereby authorized to draw his warrants upon the State Treasurer for the aforesaid sum of five thousand dollars (\$5,000) upon the order of said corporation, signed by its president and attested by its secretary and said order approved by the Governor.

APPROVED May 11, 1901.

NATIONAL GUARD AND NAVAL MILITIA.

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| <p>§ 1. Appropriates \$255,000 for maintenance of National Guard and Naval Militia.</p> | <p>§ 2. How drawn.
Approved May 16, 1901.</p> |
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AN ACT to provide for the ordinary and contingent expenses of the Illinois National Guard and the Naval Militia of Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of two hun-

dred and five thousand (205,000) dollars per annum, or so much thereof as may be necessary, is hereby appropriated to pay the ordinary and contingent expenses of the Illinois National Guard and the Naval Militia of Illinois.

The further sum of fifty thousand (50,000) dollars is hereby appropriated as an emergency fund, to be used by the Governor in cases of emergency when the Illinois National Guard and Naval Militia of the State are called into active service by the Governor to protect life and property of the citizens of the State; no portion of said sum to be expended or paid except upon the express order of the Governor.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant for the sum herein specified, upon the presentation of proper vouchers certified to by the Adjutant General and approved by the Governor, and the Treasurer shall pay the same out of the money hereby appropriated.

APPROVED May 16, 1901.

NATIONAL GUARD AND NAVAL MILITIA—BACK PAY.

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| <p>§ 1. Appropriates \$24,000 for payment of Naval Militia Volunteers in war with Spain who took examination; appropriates \$36,000 for enlisted men in National Guard who took examination; less amounts received.</p> | <p>§ 3. Officers of Naval Militia to be allowed shore pay.</p> |
| <p>§ 2. Amount paid each man.</p> | <p>§ 4. Commanders to furnish Adjutant General sworn statements.</p> |
| | <p>§ 5. How drawn.</p> |
| | <p>§ 6. Emergency.</p> |

Approved May 11, 1901.

AN ACT making an appropriation to pay the officers and men of the Naval Militia of Illinois from the time they were ordered to begin drilling until examined, and to pay the enlisted men of the Illinois National Guard who were rejected from the time ordered out by the Governor until rejected.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of \$24,000, or so much thereof as may be necessary, be, and the same is hereby, appropriated for payment of the officers and men of the Naval Militia of Illinois who volunteered their services and took the examination provided for the Illinois National Guard and Naval Militia of Illinois, in the war with Spain, whether accepted or rejected; and \$36,000 for the payment of such enlisted men of the Illinois National Guard who took such examination, less any amount already received by each of them for such service, but were rejected by such mustering officers.

§ 2. That each and every man of the Naval Militia of Illinois who took the examination for enlistment shall be paid the sum of one dollar for each day said man reported for drill between the dates of April 5, 1898, and May 25, 1898, as shown on the roll books

of his division, and that each and every enlisted man of the Illinois National Guard who was rejected shall be paid the sum of two dollars (\$2) per day from the time he was called out by the Governor until rejected by such mustering officers.

§ 3. That each officer of the Naval Militia of Illinois shall be paid full naval shore pay of his rank for the time he devoted to the duties of his office between the dates of April 5, 1898, and May 25, 1898, as shown by the roll books of his division, or battalion records, regardless of whether or not he was afterwards accepted and given commission in the United States navy.

§ 4. That the commanding officer of each battalion and division of the Naval Militia of Illinois at the time of said service, and the commanding officer of each regiment of the Illinois National Guard, shall, and is hereby, directed to furnish to the Adjutant General a sworn statement as to the officers and men entitled to such pay, as shown by the roll books of the division, or by the company, battalion or regimental records.

§ 5. That the Adjutant General be, and is hereby, directed to furnish the Auditor of Public Accounts with properly certified pay rolls, made from the sworn statements furnished by the commanding officer of each battalion of the Naval Militia of Illinois, at the time of said service, and of each regiment of the Illinois National Guard, containing the name of each officer and enlisted man entitled to pay under this act, and the amount due each of them respectively, which pay rolls shall bear the approval of the Adjutant General and the Governor, and, on such properly certified and approved pay rolls, the Auditor of Public Accounts shall draw his warrants on the State Treasurer for the amount directed to be paid under this act, and the State Treasurer shall pay same out of the money hereby appropriated, provided that all claims under this bill shall be filed within one year after this bill goes into effect. No payment shall be made under this act on any order, assignment or power of attorney or otherwise except directly to the person actually entitled to receive the same.

§ 6. WHEREAS, An emergency exists, therefore this act shall be in force and take effect from and after its passage.

APPROVED May 11, 1901.

NATIONAL GUARD—DEFICIENCY.

Preamble.

§ 1. Appropriates \$95,000 for deficiency.

§ 2. How drawn.

§ 3. Emergency.

Approved May 10, 1901.

AN ACT *making an appropriation to pay rent of armories, fuel, light, transportation, subsistence and other expenses incurred on account of the Illinois National Guard.*

WHEREAS, It became necessary for the preservation of peace and the protection of life and property in the counties of Macoupin, Christian and Williamson, to order out the State troops, and to keep them on duty for many months, requiring the expenditure of public funds; and,

WHEREAS, There being no regularly appropriated fund for the purpose named available, it became necessary to use the funds of the military expense appropriation in transporting, subsisting, quartering and paying the troops on duty from time to time to the amount of more than one hundred and twenty-eight thousand (128,000) dollars, thus creating a deficiency in said military expense funds, and leaving the regular bills, such as rent of armories, fuel, light, transportation, subsistence, etc., unprovided for; therefore, a deficiency and emergency exists; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of ninety-five thousand (95,000) dollars, or so much thereof as may be necessary, is hereby appropriated to pay rent of armories, fuel, light, transportation, subsistence and other contingent expenses incurred.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant for the sum herein specified on presentation of proper vouchers, certified to by the Adjutant General and approved by the Governor, and the Treasurer shall pay the same out of the money hereby appropriated.

§ 3. WHEREAS, An emergency exists, this act will take effect from and after its passage.

APPROVED May 10, 1901.

NATIONAL GUARD—RIFLE RANGES.

§ 1. Appropriates \$18,000 for establishing rifle ranges outside of Chicago and Springfield.

§ 2. How drawn.

Approved May 1, 1901.

AN ACT making appropriation for the purpose of establishing and equipping rifle ranges for the use of companies of the Illinois National Guard so located that they can not shoot on the Chicago and Springfield ranges, for the improvement and the repair of Camp Lincoln and the Logan range, for the payment of land purchased for the Logan rifle range, and to make other necessary improvements.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of eighteen thousand (18,000) dollars, or so much thereof as may be necessary, be, and the same is hereby, appropriated for the purpose of establishing and equipping rifle ranges in localities outside of Chicago and Springfield where Illinois National Guard companies are stationed; for the erection of a hospital building at Camp Lincoln, for the payment of the balance on account of purchase of additional lands for Logan rifle range and other necessary improvements on the State grounds used for encampment purposes.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant for the sum herein specified upon the presentation of proper vouchers certified to by the Adjutant General and approved by the Governor, and the Treasurer shall pay the same out of the money hereby appropriated.

APPROVED May 11, 1901.

NAVAL MILITIA—U. S. S. S. "DOROTHEA."

Preamble.

§ 1. Appropriates \$5,000.

§ 2. How drawn—Emergency.

Approved April 24, 1901.

AN ACT making an appropriation to cover the necessary expenses in bringing the U. S. Steamship "Dorothea" from Philadelphia to Chicago via the Canadian Canals.

WHEREAS, The Governor of the State of Illinois has applied to the United States for the loan of a vessel of the United States navy to serve as an instruction ship for the Naval Militia of Illinois; and,

WHEREAS, The navy department of the United States having promised to loan the State of Illinois the U. S. Steamship "Dorothea" to serve for the purpose named, the State of Illinois, to pay the necessary expenses of transfer of said "Dorothea" from Philadelphia, Pa., to Chicago, Ill., via the Canadian canals; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That for the purpose of paying all the expenses necessary to transfer said U. S. Steamship "Dorothea" from Philadelphia, Pa., to Chicago, Ill., via the Canadian canals, there is hereby appropriated the sum of five thousand (5,000) dollars, or so much thereof as may be found necessary, out of any money in the State treasury not otherwise appropriated.

§ 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant for the sum specified upon the presentation of proper vouchers certified to by the Adjutant General and approved by the Governor, and the Treasurer shall pay the same out of the money hereby appropriated.

WHEREAS, An emergency exists, this act shall go into effect from and after its passage.

APPROVED April 24, 1901.

PENAL AND REFORMATORY.—PENITENTIARIES.—ORDINARY EXPENSES.

§ 1. Appropriates \$427,600 to State and Southern Illinois Penitentiaries, as follows:	§ 2. How drawn.
To the Illinois State Penitentiary, for ordinary expenses, repairs, parole system, etc.....\$323,000	Approved May 10, 1901.
To the Southern Illinois Penitentiary for ordinary expenses, tools, machinery, repairs, etc.....\$212,600	

AN ACT making appropriations for the State penal institutions herein named.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the following sums be, and are hereby, appropriated to the State penal institutions named in this act, for the purposes herein stated, for the two years beginning July 1, 1901, the sum of \$535,600, and that the said appropriations shall be apportioned between the institutions as follows:

TO THE ILLINOIS STATE PENITENTIARY AT JOLIET.

For ordinary expenses for two years, ending June 30, 1903,
the sum of \$90,000 per annum.....\$180,000
For painting, relaying floors, repairs, renewing roofs and
walls, renewing and building steam and water pipes, en-
gines, boilers and machinery, and to make such other re-
pairs and renewals as may be required to keep said prison
plant in ordinary repair, the sum of \$25,000 per annum... 50,000

For expense of operating and maintaining the woman's prison, \$9,000 per annum.....	\$ 18,000
For expense of carrying on the parole system as now provided by law, the sum of \$5,000 per annum.....	10,000
To repair and rebuild the roof, windows and floor of the east cell house.....	15,000
To reconstruct the heating apparatus for the prison proper.	5,000
For the erection and equipment of a dining room.....	45,000
Total.....	\$323,000

TO THE SOUTHERN ILLINOIS PENITENTIARY AT CHESTER.

For the ordinary expenses for the two years ending June 30, 1903, and to enable the commissioners to keep profitably employed the convicts in said penitentiary, and the commissioners are hereby authorized to expend so much of the amount hereby appropriated as may be necessary for tools, machinery, fixtures and materials sufficient to keep employed, as nearly as may be, all prisoners who are or may hereafter become idle, and to provide for the sale of goods therein manufactured, and said commissioners shall employ such prisoners at such occupations as are best adapted to secure their health, discipline and reformation, the sum of \$90,000 per annum.....	\$180,000
For the purchase of necessary machinery, lumber and other materials to establish a cold storage plant, the sum of....	6,500
For repairs and refurnishing, \$5,000 per annum.....	10,000
For excavating and grading, per annum, \$1,250.....	2,500
For expenses enforcing the parole law, per annum, \$3,000..	6,000
For maintaining library and furnishing chapel, \$250 per annum.....	500
For the purchase of mules and harness.....	1,000
For repairing the stockade wall in rear of prison yard.....	500
For expense maintaining water supply.....	5,000
For repairing fence.....	300
Repairing green house.....	300
Total.....	\$212,600

§ 2. The Auditor of Public Accounts is hereby authorized and required to draw his warrants upon the State Treasurer for the aforesaid sums of money upon the order of the board of commissioners of said penitentiaries, signed by the president and attested by the secretary with the seal of the institution and the approval of the Governor thereto attached.

APPROVED May 10, 1901.

PENAL AND REFORMATORY—PENITENTIARY, CHESTER—DEFICIENCY.

- § 1. Appropriated \$12,043.88 for deficiency in ordinary expenses. | Approved May 10, 1901.
- § 2. How drawn.

AN ACT to provide for a deficiency in the ordinary expenses of the Southern Illinois Penitentiary for the fiscal year ending June 30, 1897.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of twelve thousand and forty-three dollars and eighty-eight cents (\$12,043.88), or so much thereof as may be necessary, be, and is hereby, appropriated to meet a deficiency in the ordinary expenses of the Southern Illinois Penitentiary for the fiscal year ending June 30, 1897.

§ 2. The money hereby appropriated shall be due and payable to the commissioners of the Southern Illinois Penitentiary, or their order, only on terms and in the manner now provided by law.

APPROVED May 10, 1901.

PENAL AND REFORMATORY.

STATE HOME FOR DELINQUENT BOYS.

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| <p>§ 1. Appointment of trustees to select site.</p> <p>§ 2. Trustees to solicit donation of site by advertisement—Number of acres—Location—Report donation to Governor—Corporate name.</p> <p>§ 3. Convenient name for Home.</p> <p>§ 4. Trustees for Home—Appointment—Political complexion—Term of office—Removal of trustees—Vacancies—How filled.</p> <p>§ 5. Quorum—President to cast deciding vote.</p> <p>§ 6. Trustees' oath—Where filed.</p> <p>§ 7. Officers—Election and appointment.</p> <p>§ 8. Trustees to receive no compensation other than expenses.</p> <p>§ 9. Act regulating State charitable institutions and State reform school shall apply to Home and officers.</p> <p>§ 10. Superintendent—Appointment and removal.</p> <p>§ 11. Employés—Appointment and removal.</p> <p>§ 12. Qualification of officers and teachers in Home.</p> <p>§ 13. Compensation of superintendent and officers—How fixed.</p> | <p>§ 14. Donations.</p> <p>§ 15. What courts to commit delinquent boys.</p> <p>§ 16. Management of Home—Branches to be taught.</p> <p>§ 17. Boys to be placed in homes or employment or returned to their own homes—Trustees to make regulations—Return of boys.</p> <p>§ 18. Plans and specifications for buildings—Cottage plan.</p> <p>§ 19. Plans and specifications with estimates submitted to Governor.</p> <p>§ 20. Advertisement for bids for construction of buildings.</p> <p>§ 21. Bids to be accompanied by bond—Opening bids—Awarding contract—Bids may be accepted for portions of work.</p> <p>§ 22. Contract—Bond—Superintendent of construction—Compensation—Arbitration of disputes.</p> <p>§ 23. Approval of contracts.</p> <p>§ 24. Estimates on work in progress to show amount and character of work—Payments—How made.</p> |
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| § 25. Appropriations—\$25,000 for buildings and improvements—\$5,000 for furnishing, including books, etc.—\$5,000 for maintenance, including clothing, supplies and food. | Approved May 10, 1901. |
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AN ACT to establish a home for delinquent boys.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* There shall be established as hereinafter provided a State home for delinquent boys. As soon as may be, after the taking effect of this act, the Governor shall appoint three suitable persons as commissioners to select a site for the location of said home.

§ 2. On the appointment of said commissioners, they shall by advertisement in not less than [three] daily newspapers published in the city of Chicago, one in the city of Springfield, one in the city of Peoria and one in the city of Rockford, solicit the donation of a site for such home, describing the requirements therefor, which shall be a tract of land containing not less than 320 acres convenient to railroad transportation and suitable for the purpose, taking into account healthfulness of the location, water supply, drainage and agriculture; and if a location satisfactory to the said commissioners shall, within a time to be fixed by said commissioners, be offered to be donated for said purpose, they shall report such offer to the Governor, and if he shall approve the same, said commissioners may, finding the title thereof to be good, free and clear, accept such offer and cause proper conveyances thereof to be made to such home by the corporate name of "Illinois State Home for Delinquent Boys."

§ 3. For the purpose of convenience, the said home may be known and designated in all legal proceedings, contracts, papers and reports asBoys' Home; the name of the place where the school is located to be inserted in the blank.

§ 4. The affairs of said home shall be managed by a board of seven trustees, all of whom shall be appointed by the Governor, not more than four from the political party casting the highest number of votes, and three from the party casting the next highest number of votes, at the last preceding presidential election, by and with the consent of the Senate. The trustees appointed as aforesaid shall constitute the board. For the first board two of the trustees appointed by the Governor shall be for one year, two for two years and three for three years, and on the expiration of their terms, two shall be appointed, as herein provided, each year, who shall hold their office for three years and until their successors are appointed. Any trustee may be removed by the Governor for cause, to be stated in his order for removal. Vacancies in office of trustee shall be filled by the Governor; in any case if an appointment is made by the Governor when the Senate is not in session, the person so appointed shall serve until his case is acted upon by the Senate.

§ 5. Four trustees shall constitute a quorum to do business. In case of a tie on any vote, the question shall be decided in favor of the side upon which the president of the board shall vote.

§ 6. The trustees shall, before entering upon the duties of their office, take and subscribe the oath prescribed by the Constitution, which oath shall be recorded in the minutes of the board and filed in the office of the Secretary of State.

§ 7. The said board shall elect from their number a president and vice-president and shall appoint some person, not a member of the board, to be treasurer of the institution. The superintendent shall be ex-officio secretary of the board.

§ 8. The trustees shall receive no compensation for their services, but their expenses while engaged in the performance of their official duties shall be paid upon proper vouchers audited by the board out of the funds of the institution.

§ 9. The act to regulate the State charitable institutions and the State reform school and to improve their organizations and to increase their efficiency, approved April 15, 1875, as the same has been or may be amended, and all acts applying to such institutions shall apply to said home and to the trustees and officers thereof, so far as the same may be applicable, except as herein otherwise provided.

§ 10. The board of trustees shall appoint a general superintendent, and remove the same for cause to be stated, first having given such officer a copy of the charges against him and reasonable notice of the time and place when such charges will be heard, and an opportunity to defend himself.

§ 11. All other officers and employés shall be appointed and removable by the superintendent, with the consent of the board of trustees.

§ 12. No person shall be appointed to any office in said home except upon a sufficient examination, either by the board of trustees or otherwise, as may be prescribed by rule of said board, as to education, qualification and fitness for the office for which he or she is to be appointed, and no person shall be employed as teacher who has not passed such examinations as are required for like teaching in the public schools and who has not a valid certificate of such examination.

§ 13. The compensation of the superintendent, officers and employés shall be fixed by the board of trustees, and no compensation shall be increased after services are rendered.

§ 14. The board of trustees may, from time to time, accept and hold and use, for the benefit of said home or inmates thereof, any gift, donation, bequest or devise of money or real or personal property, and may agree to and perform all conditions of such gift, donation, bequest or devise, not contrary to any law of the State.

§ 15. Any court acting under and in pursuance of an act entitled, "An act to regulate the treatment and control of dependent, neglected and delinquent children," approved April 21, 1899, or any amendment thereto, may commit any delinquent boy, coming within the terms of said act to the said home upon the terms contained in said act.

§ 16. The board of trustees shall establish all needful rules and regulations for the management of said home and of the inmates thereof, and for the education of such inmates and their employment, it being intended by this act that they shall, as far as may be, be given a common school education and be learned and practiced in such trades and employments, including agriculture and horticulture, as shall fit them for the ordinary employments of life, and suited, as far as may be, to the capacities and dispositions of the respective inmates.

§ 17. The board of trustees shall also make regulations for the placing in homes and placing in employment, or returning to his own home, if suitable, of such inmates of such home as may safely and consistently with the public good and the good of the boy be so placed out, or returned to his own home; it being the intention of this act that no boy should be kept in such home who can properly be placed out, or returned home, longer than may be reasonably necessary to prepare him for such placing out. Any boy placed out may, for good reasons, be returned to said home.

§ 18. The board of trustees shall cause to be prepared suitable plans and specifications for such buildings and improvements upon the site so selected as may be necessary to carry into effect the purposes of this act. All buildings to be occupied by officers and boys shall be upon the cottage plan, and in plain, inexpensive style. No building for the occupation of boys shall contain more than forty (40) boys, with such manager or teacher and his family as shall be in charge of the same, and such cottages shall be erected only so fast as they may be required for the accommodation of the boys committed to such home. Suitable dining hall or rooms, chapel, and other necessary buildings may be provided. If an administration building shall be erected, it shall be of the same general character as the cottages.

§ 19. The plans and specifications, when prepared to the satisfaction of the board of trustees, shall be submitted to the Governor with a detailed estimate of the cost of each and every building and improvements proposed to be made.

§ 20. When such plans are approved by the Governor, the board of trustees shall cause not less than thirty days' notice to be given by publication in at least three daily newspapers published in the city of Chicago, and two daily newspapers published in each of the cities of Springfield, Peoria and Rockford, that sealed bids will be received for the construction of such buildings and improvements as the said board shall conclude to construct at that time. Such notice shall specify when and the terms upon which bids will be received.

§ 21. No bid shall be accepted which is not accompanied by sufficient bond in the penal sum of \$10,000, payable to the People of the State of Illinois, with at least three good and sufficient sureties, conditioned that if his bid is accepted he will enter into a contract with said school, by its corporate name, for the doing of the work, and will give the bond required by this act, conditioned for the faithful performance of his contract.

At the time and the place specified in the notice and in the presence of such of the bidders as may appear, the bids shall be opened and the contract awarded to the lowest and best bidder, unless it shall appear that no satisfactory bid shall have been made, and if no satisfactory bid shall have been made, another notice shall be given in like manner for other bids until an acceptable bid shall be made. The trustees may accept bids for the particular portions of the work if they can be advantageously separated.

§ 22. The contract to be made with the successful bidder shall be accompanied by a good and sufficient bond, to be approved by the Governor before accepted, conditioned for the faithful performance of his contract; shall provide for the appointment of a superintendent of construction, who shall receive not more than five dollars per day for his services, and who shall carefully and accurately measure the work done, and for the payment of the contractor upon the aforesaid measurement, and for the withholding of fifteen per cent of the value of the work done and materials on hand until the completion of the building, and for a forfeiture of a stipulated sum per diem for every day that the completion of the work shall be delayed after the time specified for the completion in the contract, and for the full protection of all persons who may furnish labor or materials by withholding payment from the contractor and by paying the parties to whom any moneys are due for services and materials, as aforesaid, directly for all work done or materials furnished by them, in case of notice given to the trustees that any such party apprehends or fears that he will not receive all money due; and for the settlement of all disputed questions as to the value of alterations and extras, by arbitration at the time of final settlement as follows: One arbitrator to be chosen by the trustees, one by the contractor and one by the Governor of the State, all three of said arbitrators to be practical mechanics and builders, and for the power and privilege of the trustees under the contract to alter changes in the plans at their discretion, and to refuse to accept any work which may be done not fully in accordance with the letter and spirit of the plans and specifications, and all work not accepted shall be replaced at the expense of the contractor, and for a deduction from the current price of all alterations ordered by the trustees which may and do diminish the cost of building. They may also make such other provisions and conditions in said contract not hereinabove specified as may seem to them necessary or expedient: *Provided*, that no conditions shall be inserted contrary to the letter and spirit of this act, and that in no event shall the State be liable for a greater amount of money than is appropriated for said building and its appurtenance.

§ 23. All contracts shall be signed by the president of the board of trustees on behalf of the board, after a vote authorizing the president so to sign shall have been entered upon the minutes of the board; and it shall be attested by the signature of the secretary of the board and by the corporate seal. All contracts shall be drawn in triplicate, and one copy shall be deposited in the office of the Board of Public Charities of this State.

§ 24. All measurements or estimates on account of work in progress shall show in detail the amount and character of the work estimated, and the estimates shall be paid from the State treasury only on the warrant of the Auditor of Public Accounts on vouchers made by the said board of trustees and approved by the Governor.

§ 25. The following sums are hereby appropriated: For the construction of said buildings and improvements, the sum of \$25,000.00; for the furnishing of said buildings, including books, tools and apparatus, the sum of \$5,000.00; for maintenance, including necessary clothing for inmates, supplies and food, the sum of \$5,000.00.

APPROVED May 10, 1901.

PENAL AND REFORMATORY—REFORMATORY, PONTIAC—ORDINARY
EXPENSES.

§ 1. Appropriates \$495,200 for ordinary expenses, etc.

§ 2. How drawn.

Approved May 10, 1901.

AN ACT making appropriations for the Illinois State Reformatory at Pontiac for the two years beginning July 1, 1901, and ending July 1, 1903.

SECTION 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly:* That the following sums be, and the same are hereby, appropriated for the purposes hereinafter named, payable according to law:

For ordinary expenses, \$200,000 per annum	\$400,000
For discharge, parole and return of prisoners, \$25,000 per annum	50,000
For repairs and improvements, \$5,000, per annum	10,000
For equipment and maintenance of trade schools, \$5,000 per annum	10,000
For materials for trade school instruction, \$5,000 per annum	10,000
For maintenance of electric light plant, telephone, telegraph and fire alarm systems, \$2,000, per annum	4,000
For school books for inmates, \$1,000 per annum	2,000
For school seats, maps, desks, tables, charts, etc., \$1,000 per annum	2,000
For the extension and equipment of library, \$1,000 per annum	2,000
For cows, teams and machinery, to be used on the farm, \$1,000 per annum	2,000
For beds, bedding and furniture, \$1,000 per annum	2,000
For lectures, entertainments, concerts and amusements for the inmates, \$600.00 per annum	1,200
Total.	\$495,200

§ 2. The Auditor of Public Accounts is hereby authorized to draw his warrant on the State Treasurer for the moneys hereinbefore appropriated upon the order of the board of managers of said reformatory, signed by the president and attested by the secretary, and the seal of said reformatory attached and approved by the Governor.

APPROVED May 10, 1901.

PORTRAIT—EX-GOVERNOR TANNER.

§ 1. Appropriates \$1,000 for painting portrait of ex-Governor John R. Tanner.
How drawn.

Approved March 31, 1901.

AN ACT making an appropriation for the painting of a portrait of Ex-Governor John R. Tanner.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be, and is hereby, appropriated out of the money in the treasury the sum of one thousand (1,000) dollars, or so much thereof as may be necessary, to have painted and framed a portrait of Ex-Governor John R. Tanner, to be placed in the executive office, to be paid on the order of the Secretary of State and approved by the Governor.

APPROVED March 13, 1901.

STATE BOARD OF AGRICULTURE—BUILDING PURPOSES.

§ 1. Appropriates \$94,000 to the State Board of Agriculture for the following purposes:

For Live Stock pavilion.....	\$40,000
For extension of machinery hall	20,000
For painting and repairs.....	3,000
For walks and roadways.....	5,000
For outstanding indebtedness	26,000

§ 2. How drawn.

Approved May 11, 1901.

AN ACT making an appropriation for the State Board of Agriculture, to be used in the construction of permanent buildings and making improvements, and for beautifying the State fair grounds at Springfield, Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of ninety-four thousand dollars (\$94,000), or so much thereof as may be necessary, out of the State treasury, not otherwise appropriated, be, and the same is hereby, appropriated to the State Board of Agriculture for the construction of permanent buildings for the State fair and for the improvement and beautifying of the State fair grounds, viz.:

For a live stock pavilion, forty thousand dollars (\$40,000), the seats in said pavilion to be free to the public.

For the extension of machinery hall, twenty thousand dollars (\$20,000).

For painting and repairs, three thousand dollars (\$3,000).

For the construction of walks and for roadways, five thousand dollars (\$5,000).

To reimburse the State Board of Agriculture for moneys advanced and to pay outstanding indebtedness, twenty-six thousand dollars (\$26,000).

§ 2. That on the order of the president, countersigned by the secretary of the State Board of Agriculture and approved by the Governor, the Auditor of Public Accounts shall draw his warrant upon the State Treasurer in favor of the treasurer of the Illinois State Board of Agriculture for the sum herein appropriated: *Provided*, that all of said money shall be paid in installments, from time to time, as the same may be needed to pay for the improvements authorized by this act, and on vouchers to be approved by the Governor.

APPROVED May 11, 1901.

STATE BOARD OF AGRICULTURE—FAIRS.

§ 1. Appropriates \$5,000 per annum for the encouragement of an exhibit at the State fair; for use of each county and agricultural fair, \$200 per annum; for secretary's salary, clerk hire, curator, janitor, agricultural museum, publishing statistics, agricultural library, office expenses, etc., \$8,620 per annum.

§ 2. How drawn.

§ 3. Biennial report to Governor.

Approved May 11, 1901.

AN ACT *making appropriations for the State Board of Agriculture and county and other agricultural fairs.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be, and is hereby, appropriated to the State Board of Agriculture the following sums, to-wit:

For the encouragement of an exhibit at the State fair, the sum of five thousand dollars (\$5,000) per annum, for the years 1901 and 1902, and for the use of each county or other agricultural society, the sum of two hundred dollars (\$200) per annum, to be paid to the treasurer of the society, for fairs held in 1900 and 1901.

The sum of \$1,600 for the use of the women of the State for the purpose of furnishing and remodeling the woman's building on the State fair grounds, and for the school of domestic science therein, to be expended under the direction of the board of managers of the woman's building.

For the salary of the secretary, the sum of twenty-five hundred dollars (\$2,500) per annum, for the years 1901 and 1902.

For clerk hire, the sum of two thousand dollars (\$2,000) per annum, for the years 1901 and 1902.

For curator, the sum of seven hundred fifty dollars (\$750) per annum, for the years 1901 and 1902.

For receiving and shipping clerk, the sum of eight hundred dollars (\$800) per annum, for the years 1901 and 1902.

For janitor, the sum of four hundred twenty dollars (\$420) per annum, for the years 1901 and 1902.

For the agricultural museum, the sum of one hundred fifty dollars (\$150) per annum, for the years 1901 and 1902.

For the expense of collecting, compiling and publishing live stock and agricultural statistics, the sum of six hundred dollars (\$600) per annum, for the years 1901 and 1902.

For the agricultural library, the sum of two hundred dollars (\$200) per annum, for the years 1901 and 1902.

For office expenses, furniture, repairs, postage, expressage, etc., the sum of twelve hundred dollars (\$1,200) per annum, for the years 1901 and 1902.

§ 2. That on the order of the president, countersigned by the secretary of the State Board of Agriculture and approved by the Governor, the Auditor of Public Accounts shall draw his warrant upon the Treasurer in favor of the treasurer of the Illinois State Board of Agriculture for the sums herein appropriated: *Provided*, that each warrant on account of county or other agricultural fairs shall show the agricultural society for whose benefit the same is drawn, and that no warrant shall be drawn in favor of any agricultural society unless the order aforesaid be accompanied by a certificate of the State Board of Agriculture showing that such agricultural society held an agricultural fair during the preceding year in compliance with the rules and regulations as provided by said State Board of Agriculture: *Provided, further*, that no warrant shall be drawn in favor of any agricultural society until the president and treasurer of such society file an affidavit with the State Board of Agriculture that no wheel of fortune or other gambling device was licensed or allowed upon the fair grounds.

§ 3. It shall be the duty of the treasurer of the State Board of Agriculture, on the order of the president, countersigned by the secretary of the State Board of Agriculture, to pay over to the treasurer of each agricultural society the sum received for its use and benefit as aforesaid, and make biennial report to the Governor of all such appropriations received and disbursed by him.

APPROVED May 11, 1901.

STATE GOVERNMENT, AND 43D GENERAL ASSEMBLY.

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| <p>§ 1. Appropriates \$1,000,000 to pay officers of the State Government and the next General Assembly.</p> | <p>Approved May 11, 1901.</p> |
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AN ACT making appropriation for the payment of the officers and members of the next General Assembly, and for the salaries of the officers of the State Government.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be, and is hereby, appropriated the sum of \$1,000,000, or such sum as may be necessary, to pay the officers and members of the next General Assembly, and the salaries of the officers of the State Government, at such rates of compensation as are now, or hereafter may be, fixed by law, until the expiration of the first fiscal quarter after the adjournment of the next regular session of the next General Assembly.

APPROVED May 11, 1901.

STATE GOVERNMENT—GENERAL EXPENSES.

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| <p>§ 1. Makes appropriations for ordinary and contingent expenses, as follows:</p> <ol style="list-style-type: none"> 1. GOVERNOR:—Contingent fund, \$5,000 per annum. 2. Secretary, stenographer, etc., \$6,000 per annum. 3. Postage, telegraphing, express, etc., \$1,500 per annum. 4. Porter, \$720 per annum. 5. Executive mansion, etc., \$6,500 and \$5,000 per annum. 6. SECRETARY OF STATE:—Clerks, stenographers, janitors, police, porters, messengers and other employés, and for postage, expressage, repairs, care of Capitol, etc., etc., \$98,300 per annum. 7. Fuel, repairs, heating and light plant, \$13,500 per annum. 8. Operating electric light plant, \$2,000 per annum. 9. State Library, employés and books, \$3,800 per annum. 10. Printing paper, stationery, etc., \$18,000 per annum. 11. Printing and binding, \$50,000 and \$10,000 per annum. 12. Copying and distributing laws, etc., expressage, postage, etc., \$600 and \$1,000 per annum. 13. Supreme Court reports, the sum required by law. 14. Flags, \$200. | <ol style="list-style-type: none"> 15. AUDITOR OF PUBLIC ACCOUNTS:—Clerks, stenographers, messengers, janitors and other employés, and for postage, expressage, etc., \$25,740 per annum, \$8,000 of which is contingent on the passage of a certain act. 16. Conveying female offenders, \$1,000 per annum. 17. Costs and expenses of State suits, \$500 per annum. 18. Conveying convicts, etc., \$20,000 per annum. 19. Fugitives from justice, \$2,000 and \$12,000 per annum. 20. Conveying offenders to reformatory, etc., \$15,000 per annum. 21. STATE BOARD OF EQUALIZATION:—Expenses, \$10,000 per annum. 22. STATE TREASURER:—Clerks, watchmen, and other employés, collection of inheritance tax, postage and other incidentals, \$15,000 per annum. 23. Necessary amount to refund taxes collected in error. 24. SUPERINTENDENT OF PUBLIC INSTRUCTION:—Assistant superintendent and other employés, library, postage, etc., \$8,320 per annum. |
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25. Interest on distributable fund, \$57,000 per annum.
26. Distributable school fund, \$1,000,000 per annum.
27. ATTORNEY GENERAL:— Assistants, clerks, messengers, porter, and other employes, official duties prescribed by law, telegraphing, postage, etc., build- and loan associations, etc., repairs, furniture, suit of Missouri vs. State of Illinois, etc., \$22,000 and \$28,600 per annum.
28. ADJUTANT GENERAL:— Clerks and other employes in office, camps, arsenal, etc., printing of war records, \$25,000 and \$10,240 per annum.
29. BOARD PUBLIC CHARITIES:— Secretary's salary and miscellaneous expenses, \$10,000 per annum.
30. SUPREME COURT:— Contingent and incidental expenses, librarian, clerk, janitor, etc., \$8,640 per annum.
31. APPELLATE COURTS:— Office rent, library, furniture, fuel, stationery and other necessary expenses, \$1,000 and \$23,760 per annum.
32. MUSEUM NATURAL HISTORY:— Curator, assistant, janitor, and sundry expenses, \$4,200 per annum.
33. RAILROAD AND WAREHOUSE COMMISSIONERS:— Office expenses, clerical help, maps, reports and other necessary expenses, \$1,000 and \$14,800 per annum.
34. COMMISSIONERS OF LABOR STATISTICS:— Expenses of Commissioners and miscellaneous expenditures, \$3,942.95 and \$48,970 per annum.
35. FISH COMMISSIONERS:— Expenses of Commissioners and miscellaneous expenditures, \$5,000 and \$15,000 per annum.
36. LIEUTENANT GOVERNOR:— Incidentals, \$50 per annum.
37. GENERAL ASSEMBLY, 43D:— Committees. \$3,550; expenses. \$1,000.
- 37¹/₂. GENERAL ASSEMBLY, 42D:— Committee expenses, etc., \$6,000.
38. LINCOLN HOMESTEAD AND LINCOLN MONUMENT:— \$3,800 per annum.
39. LIVE STOCK COMMISSIONERS:— \$20,000 and \$21,220 per annum.
40. INSURANCE SUPERINTENDENT:— Actuary, clerks, messenger, janitor, legal services and other expenses, \$37,565 per annum.
41. STATE HISTORICAL LIBRARY:— Librarian and expense of care and maintenance, \$3,500 per annum.
42. STATE FACTORY INSPECTORS:— Salaries and incidental expenses, \$21,000 per annum.
43. SUPREME COURT REPORTER:— Miscellaneous expenses, \$1,470 per annum.
44. STATE BOARD OF ARBITRATION:— Secretary's salary and other expenses, \$5,000 per annum.
45. BOARD OF PARDONS:— Clerk's salary and other expenses, \$4,250 per annum.
46. STATE ENTOMOLOGIST:— Assistants, printing, office and other expenses, \$18,000 and \$14,250 per annum.
47. STATE BOARD OF HEALTH:— Secretary's salary, clerical services, office and other necessary expenses, \$25,000 and \$20,300 per annum.
48. STATE FOOD COMMISSIONERS:— Analyst, stenographer, office and other expenses, \$2,920 per annum.
49. UNIVERSITY OF ILLINOIS:— Interest on endowment fund, with arrears, \$58,248.45.
50. How drawn.

Approved May 10, 1901.

AN ACT to provide for the ordinary and contingent expenses of the State Government until the expiration of the fiscal quarter after the adjournment of the next regular session of the General Assembly.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the following named sums, or so much thereof as may be necessary, respectively, for the purposes hereinafter named, be, and are hereby, appropriated to meet the ordinary and contingent expenses of the State Government until the expiration of the first fiscal quarter after the adjournment of the next General Assembly:

First—A sum not exceeding \$5,000 per annum shall be subject to the order of the Governor for defraying such public expenses of the State Government as are unforseen by the General Assembly and not otherwise provided for by law, payment to be made from time to time upon bills of particulars certified to by the Governor.

Second—The sum of \$6,000 per annum for private secretary to the Governor for the performance of such official duties of the Governor as may be required of him, and for executive clerk and stenographer, payable monthly, as hereinafter named.

Third—A sum not to exceed \$1,500 per annum for postage, expressage, telegraphing, furniture, furnishing and other incidental expenses connected with the Governor's office, to be paid upon bills of particulars certified to by the Governor.

Fourth—To the Governor, for one porter, the sum of \$720 per annum, payable monthly.

Fifth—To the Governor, for the care of the executive mansion and grounds and for the heating and lighting of the executive mansion, \$5,000 per annum; for refurnishing the executive mansion, the sum of \$3,000; for repairs on executive mansion, \$2,000; for refurnishing executive office at the Capitol \$1,500, to be paid on bills of particulars certified to by the Governor.

Sixth—To the Secretary of State, for clerk hire in his office, the following sums: For chief clerk, \$2,400 per annum; for one assistant chief clerk, \$1,800 per annum; for one chief corporation clerk, \$2,000 per annum; for one corporation clerk, \$1,800 per annum; for one corporation clerk, \$1,500 per annum; for one corporation clerk, \$1,000 per annum; for one executive clerk, \$1,500 per annum; for one index clerk, \$2,000 per annum; for one assistant index clerk \$1,200 per annum; for one anti-trust clerk, \$1,800 per annum; for one assistant anti-trust clerk, \$1,500 per annum; for one assistant anti-trust clerk, \$1,000 per annum; for one assistant anti-trust clerk, \$900 per annum; for one shipping clerk, \$1,400 per annum; for one shipping clerk, \$1,200, per annum; for one shipping clerk and janitor, \$1,200 per annum; for one shipping clerk, \$1,200 per annum; for extra clerical services, \$1,500 per annum; for one private secretary and stenographer, \$1,500 per annum; for one supply clerk, \$1,500 per annum; for one assistant supply clerk, \$900 per annum; for one property clerk, \$900

per annum; for stenographer and typewriter, \$1,000 per annum; for one stenographer and typewriter, \$720 per annum; for one bookkeeper, \$1,000 per annum; for three porters and messengers, \$720 each per annum; for one superintendent of Capitol building and grounds, \$1,800 per annum; for one assistant superintendent of Capitol buildings and grounds, \$1,200 per annum; for one carpenter, \$900 per annum; for one assistant carpenter, \$900 per annum; for eight policemen, \$720 each per annum; for two elevator conductors, \$720 each per annum; for eighteen janitors, \$720 each per annum; for one janitress, \$600 per annum; for one flagman, \$720 per annum; for one chief engineer, \$1,200 per annum; for two assistant engineers, \$900 each per annum; for twelve firemen, \$720 each per annum; for one weigher, \$1,000 per annum; for one electrician, \$1,200 per annum; for two assistant electricians, \$800 each per annum, payable upon monthly pay-rolls certified to by the Secretary of State; for expenses in connection with the corporation reporting department, the sum of \$3,000 per annum, or so much thereof as may be necessary. To the Secretary of State, for repairs, postage, expressage, telegraphing and other incidental expenses of his office, a sum not exceeding \$3,000 per annum; and for the payment of all necessary incidental expenses incurred by the Secretary of State in the care and custody of the State house and grounds and other State property, and in repairs and improvements of the same, and for the performance of such other duties as may be imposed upon him by law and for which no other appropriation has been made, the sum of \$9,000 per annum; to the Secretary of State, \$5,000 per annum for the purpose of carrying into effect a law for and to require every foreign corporation doing business in this State to have a public office or place in this State at which to transact its business, subjecting it to a certain condition and requiring it to file its articles of incorporation with the Secretary of State, and to pay certain taxes and fees thereon; all payable upon bills of particulars certified to by the Secretary of State.

Seventh.—For fuel, repairs and other incidental expenses connected with the heating of the State house, the sum of \$11,000 per annum, or so much thereof as may be necessary; for repairing the State house and heating and light plant, \$2,500 per annum.

Eighth.—For expenses connected with operating the State electric light plant, the sum of \$2,000 per annum, or so much thereof as may be necessary, to be paid on bills of particulars certified to by the Secretary of State.

Ninth.—To the Secretary of State, for the purchase of books and for the incidental expenses of the State Library, the sum of \$1,200 per annum, payable upon bills of particulars certified to by the board of commissioners of the State Library; for salary of assistant librarian, the sum of \$1,000 per annum, payable monthly; for the salary of second assistant librarian, the sum of \$900 per annum, payable monthly; for the salary of the third assistant librarian, the sum of \$720 per annum, payable monthly on the certificate of the Secretary of State.

Tenth.—For the purchase on contract, as required by law, and other necessary expenses connected therewith, of printing paper and stationery for the use of the General Assembly and the executive departments, the sum of \$18,000 per annum, payable on bills of particulars certified to by the Board of Commissioners of State Contracts and approved by the Governor.

Eleventh.—For public printing, the sum of \$50,000, or so much thereof as may be required; for public binding the sum of \$10,000 per annum, or so much thereof as may be required. The public printing and binding to be paid according to contract, upon the certificate of the Board of Commissioners of State Contracts, and approved by the Governor.

Twelfth.—For copying the laws, journals and joint resolutions of the General Assembly, as provided by law, \$300; for distribution of the laws, journals and other State documents, and incidental expenses connected therewith, the sum of \$300; and for expressage and postage on same, \$1,000 per annum, payable as provided by law.

Thirteenth.—Such sums as may be necessary to enable the Secretary of State to purchase such volumes of the reports of the decisions of the Supreme Court as he is, or may be, by law required to purchase, to be paid on bills of particulars certified to by the Secretary of State and approved by the Governor.

Fourteenth.—To the Secretary of State, for the purchase of flags for the dome of the capitol building for two years, the sum of \$200, to be paid on bills of particulars certified to by the Secretary of State and approved by the Governor.

Fifteenth.—To the Auditor of Public Accounts, for necessary clerk hire in his office, the following sums: For chief clerk, \$2,400 per annum; for revenue clerk, \$1,800 per annum; for warrant clerk, \$1,800 per annum; for assistant warrant clerk, \$1,500 per annum; for stenographer and typewriter, \$1,000 per annum; for one messenger and clerk, \$720 per annum; for one janitor, \$720 per annum; for additional clerk hire, the sum of \$3,500 per annum; for land clerk, \$1,800 per annum; payable on bills of particulars certified to by the Auditor of Public Accounts. To the Auditor of Public Accounts, for postage, express charges, telegraphing and other incidental expenses incurred in the discharge of his duties, a sum not to exceed \$2,500 per annum, payable on bills of particulars certified to by the Auditor; also the sum of \$8,000 per annum for the purpose of paying for clerical services and other necessary expenses in the enforcement of the provisions of "An act to establish a uniform system of public accounting, auditing and reporting, under the administration of the Auditor of Public accounts." *Provided*, that if said act shall fail to become a law no part of said appropriation shall be drawn or used by said Auditor of Public Accounts. To the Auditor of Public Accounts, for the purpose of paying for the clerical service incidental to the banking department and to the building and loan department,

a sum not to exceed the fees received by him for preliminary examinations and filing reports for such banks and building and loan associations, as now provided by law.

Sixteenth—A sum not to exceed \$1,000 per annum, or so much thereof as may be needed, for conveying female offenders to the State Home for Juvenile Female Offenders, to be ascertained and paid in the same manner as for conveying prisoners to the penitentiary.

Seventeenth—A sum not exceeding \$500 per annum, or so much thereof as may be necessary, costs and expenses of State suits, to be paid on bills of particulars, certified to by the Auditor and approved by the Governor.

Eighteenth—A sum not exceeding \$20,000 per annum, or so much thereof as may be necessary, for conveying convicts to the penitentiary, and from and to the penitentiary in cases of new trials, or when used as witnesses in cases, to be paid by the Auditor in the manner now provided by law: *Provided*, that when more than one person is convicted at the same term of court, and is committed to the penitentiary, the sheriff shall take them all at one trip.

Nineteenth—For the payment of the expenses provided for by law for the apprehension and delivery of fugitives from justice, \$12,000 per annum, or so much thereof as may be necessary, to be paid on the evidence required by law, certified to and approved by the Governor, and the sum of \$2,000 for awards for arrests of fugitives from justice, to be paid on bills of particulars having the order of the Governor endorsed thereon.

Twentieth—The sum of \$15,000 per annum, or so much thereof as may be necessary, for conveying offenders to the State Reformatory at Pontiac, and from and to the reformatory in cases of new trial, or when used as witnesses in cases, to be paid by the Auditor in the manner now provided by law, to be ascertained and paid in the same manner as in cases of conveying prisoners to and from the penitentiary: *Provided*, that when more than one person is convicted at the same term of court, and is committed to the reformatory, the sheriff shall take them all in one trip.

Twenty-first—To the State Board of Equalization, for paying expenses, a sum not exceeding \$10,000 per annum, payable in the manner provided by law.

Twenty-second—To the State Treasurer, for clerk hire, the sum of \$7,500 per annum; the sum of \$3,200 per annum for two night and two day watchmen, and the sum of \$800 per annum for messenger and clerk, all payable on monthly pay-rolls, duly certified to by the Treasurer. The sum of \$2,500 per annum, or so much thereof as may be necessary, to be used in the collection of inheritance tax, payable on certificate of the Treasurer. To the State Treasurer, for repairs, express charges, postage, telegraphing and other incidental

expenses connected with his office, a sum not to exceed \$1,000 per annum, payable on bills of particulars, certified to by the Treasurer and approved by the Governor.

Twenty-third—Such sums as may be necessary to refund the taxes on real estate sold or paid on error, and for overpayment of collectors' accounts under laws governing such cases, to be paid out of the proper funds.

Twenty-fourth—To the Superintendent of Public Instruction the following sums are hereby appropriated: For first assistant superintendent, \$2,400 per annum; for second assistant superintendent, \$1,500 per annum; for stenographer and typewriter, \$1,000 per annum; for janitor, porter and messenger, the sum of \$720 per annum; for library, \$200 per annum; all payable on the certificate of the Superintendent of Public Instruction. To the Superintendent of Public Instruction, for postage, and State examinations, and other necessary expenses of his office, a sum not exceeding \$2,500 per annum, payable on bills of particulars certified to by him and approved by the Governor.

Twenty-fifth—The sum of \$57,000 per annum, or so much thereof as may be necessary, to pay the interest on the school funds distributed annually in pursuance of law.

Twenty-sixth—The sum of \$1,000,000 annually, out of the State school fund, to pay the amount of the Auditor's orders for the distribution of said fund to the several counties, and for the payment of the salaries and expenses of county superintendents of schools, as now provided by law. The Auditor shall issue his warrant to the State Treasurer on the proper evidence that the amount distributed has been paid to the county superintendents.

Twenty-seventh—To the Attorney General, for a first assistant, the sum of \$2,800 per annum; for a second assistant, the sum of \$2,800 per annum; for a third assistant, the sum of \$2,500 per annum; for a chief clerk and stenographer, the sum of \$1,800 per annum; for porter and messenger, the sum of \$720 per annum; for the performance of such other official duties as are required by law, \$10,000 per annum, payable on bills of particulars certified to by the Attorney General. To the Attorney-General, for telegraphing, postage and other necessary expenses, \$2,000 per annum; for legal and other incidental expenses incident to the discharge of his duties in relation to the building, loan and homestead associations and to State banks, a sum not to exceed \$6,000 per annum, payable on bills of particulars certified to by him. For repairing and refurnishing the office of the Attorney General, the sum of \$2,000, or so much thereof as may be necessary, payable on bills of particulars certified to by the Attorney General. For expenses, expert fees and legal services in the case of the State of Missouri vs. the State of Illinois and the sanitary district of Chicago, now pending in the Supreme Court of the United States, the sum of \$20,000, or so much thereof as may be necessary, payable on bills of particulars certified to by the Attorney General.

Twenty-eight—To the Adjutant General, for clerk hire in his office, the following sums: For assistant adjutant general, \$1,800 per annum; for chief clerk, \$1,500 per annum; for record clerk, \$900 per annum: *Provided*, that in the employment of clerks and assistants in the Adjutant General's office, preference shall be given to Union soldiers, their widows and orphans; also the sum of \$1,000 per annum for postage, telegraphing, repairs and other incidental expenses connected with memorial hall in his office; also for custodian of memorial hall, \$900 per annum; for stenographer and typewriter, \$1,000 per annum; for custodian at arsenal, \$1,200 per annum; for ordnance sergeant at arsenal, \$720 per annum; for one messenger, \$720 per annum; for custodian at Camp Lincoln, \$500 per annum; all payable on monthly pay-rolls or bills of particulars duly certified to by the Adjutant General and approved by the Governor.

To the Commissioners of State Contracts for the purpose of reprinting the revised editions of the Adjutant General's report of the War of the Rebellion, including the cost of paper, \$13,000, and for binding the same, the sum of \$12,000. Said revision being in nine volumes and to be printed and bound in not less than five thousand of each volume, and the said Commissioners of State Contracts are hereby authorized to contract for said printing with any printing or binding firm within the State of Illinois.

Twenty-ninth—To the Board of State Commissioners of Public Charities, for salary of secretary, the sum of \$3,000 per annum; for incidental expenses of the board, including clerical services in office and auditing institution accounts, the necessary traveling expenses of the commissioners and employes while engaged in the discharge of their duties of visiting and inspecting State charitable and other institutions and county jails and almshouses, as required by law, care of office, postage, expressage, telegraphing, telephoning, furnishing, etc., the sum of \$7,000 per annum, or so much thereof as may be necessary.

Thirtieth—There is hereby appropriated to defray the incidental and contingent expenses of the Supreme Court, to-wit: For stationery, repairs, furniture, expressage, printing and law books to be purchased under the direction of the court, and other expenses deemed necessary by the court, the sum of \$5,000 per annum, payable upon bills of particulars certified to by at least two of the justices of said court.

There is also appropriated for the librarian of said court the sum of \$1,000 per annum, who shall act as librarian for the appellate court of the third district when in session; also the sum of \$720 per annum for one janitor for the library and the supreme and appellate courts, who shall perform such duties as shall be determined by the judges and clerks of said court, to be paid on the order of at least two of the judges of said court. To the clerk of the Supreme Court of the northern grand division, for stenographer, \$1,200 per annum, and for one janitor, \$720 per annum.

Thirty-first—There is also hereby appropriated to defray the incidental and contingent expenses of the appellate courts of this State,

to-wit: To the appellate court of the first district, for rent of offices and rooms used by appellate court and branch appellate court, \$10,-500 per annum, from July 1, 1901, and for no other purpose; for the purchase of books for the library, \$500 per annum; for book cases, office furniture and carpets for the use of both courts, \$500; nine hundred dollars (\$900) per annum for stenographer for each branch of said court, said stenographers to work under the direction of the judges of the court; five hundred dollars (\$500) per annum for incidental expenses for each branch of said court. The sums to be paid on bills of particulars certified to by the clerk of the court.

To the second district of the appellate court, for stationery, fuel, postage, light, expressage, repairs, furniture and other expenses deemed necessary by said court, the sum of \$1,750 per annum; for books, \$500 per annum; for the rebinding of books, \$100 per annum, and for new carpet and painting interior of court room, \$500.

To the third district, for stationery, postage, expressage, furniture and other expenses deemed necessary by the court, the sum of \$500 per annum, the sums to be paid on bills of particulars certified by the clerk of the court for which the expense was incurred.

To the fourth district, the sum of \$1,750 per annum for stationery, fuel, lights, postage, expressage, repairs, furniture and other expenses deemed necessary by the court; for books for law library, \$500 per annum; also the sum of \$720 each per annum to the second, third and fourth districts for the pay of janitors, to perform such duties as shall be determined by the judges and clerks of the respective courts, to be paid on the order of at least two of the judges in each district; for one stenographer for each of the second, third and fourth districts, \$900 each per annum, such stenographers to be appointed by, and their duties to be prescribed by, the judges of the several appellate courts, respectively; such salaries to be paid monthly, the same being certified to by at least two of the judges of such courts respectively.

Thirty-second—For the salary and expenses of the curator of the Illinois State Museum of Natural History, the sum of \$2,500 per annum; for the salary of an assistant curator, the sum of \$1,000 per annum; for the salary of a janitor, the sum of \$720 per annum, all payable monthly as provided by law. Reports on investigations shall be prepared by or under the direction of the curator, and be presented to the board of trustees of the museum for approval. The board shall order such reports printed, and the expense shall be paid out of the general fund appropriated for the public printing.

Thirty-third—To the Railroad and Warehouse Commissioners, for the incidental expenses of their office, including care, stationery, postage, telegraphing, extra clerk hire, for the secretary's salary, and all necessary expenditures, except those hereinafter provided for, a sum not to exceed \$4,000 per annum. For any expense incurred in suits or investigation commenced by authority of the State, under any law now in force, or hereafter enacted, empowering or entrusting the board of commissioners, including the fees of experts employed

and clerical help, the sum of \$4,000 per annum, or such part thereof as may be needed for such purposes. For printing, mailing, expressing and publication of schedules of reasonable maximum rates of charges for the transportation of passengers and freights and cars, made or revised for any or all of the railroads of the State, as provided by law, the sum of \$1,000, or so much thereof as may be needed for such purposes. For the printing and publication of railroad maps of Illinois, to be bound with annual reports, the sum of \$2,000 per annum. For salary and expenses of civil engineer, when so employed by the commission in their discretion, the sum of \$3,000 per annum, which said civil engineer, when so employed, shall do such engineering work and make such inspections and reports as the said commissioners may direct, and for salary and expenses of an assistant civil engineer, \$1,800 per annum, when employed as assistant civil engineer, whose duties shall be determined by the board, to be paid on bills of particulars certified to by the Railroad and Warehouse Commissioners and approved by the Governor.

Thirty-fourth—To the Commissioners of Labor Statistics, for the purpose of procuring, tabulating and publishing statistics of labor, as contemplated by law, for clerical services, the employment of canvassers, and the incidental expenses of the board, and for defraying the per diem and traveling expenses of the commissioners, the sum of \$10,000 per annum, or as much thereof as may be necessary, and the sum of \$2,500 per annum for the salary of the secretary of the board.

To the State Mining Board for the examination of candidates for certificates as mine inspectors, mine managers, mine examiners and hoisting engineers, for per diem and expenses of the board in conducting such examination, including salary of stenographer, at \$720 per annum, and salary of secretary of the board, at \$1,500 per annum, the sum of \$7,500 per annum, or as much thereof as may be necessary, payable upon proper vouchers approved by the Governor.

To the State Mine Inspectors, for actual expenses incurred in the discharge of their duties, as provided by law, the sum of \$2,000 per annum.

There is hereby appropriated out of the money in the treasury not otherwise appropriated the sum of \$2,942.95; to pay Hector McAllister the sum of \$313.38; to pay Thomas Hudson \$295.18; to pay John W. Graham \$450.86; to pay John E. Williams \$490.47; to pay Walter Rutledge \$445.45; to pay John Dunlop \$476.30; to pay Evan D. John \$471.31, the sums due each of them respectively for their actual necessary traveling expenses while in the discharge of their public duties as State Inspectors of Coal Mines. For the payment of traveling expenses as State Mine Inspectors to July, 1901, the sum of \$1,000, to be paid upon certificates as provided by law.

To the Illinois Free Employment Offices, located in Chicago and Peoria, the following sums: For salary of superintendent of south side office in Chicago, \$1,200 per annum. For assistant superinten-

dent, \$900 per annum. For clerk, \$800 per annum. For expenses, the sum of \$4,100 per annum, and for stenographer the salary of \$600 per annum. For postage and expressage, \$300 per annum.

For salary of the superintendent of the west side office in Chicago, the sum of \$1,200 per annum. For assistant superintendent, \$900 per annum. For clerk, \$800 per annum. For expenses, the sum of \$1,400 per annum. For stenographer, the sum of \$600 per annum, and for postage and expressage, \$100 per annum.

For the superintendent of the north side office in Chicago, \$1,200 per annum. For assistant superintendent, \$900 per annum. For clerk, \$800 per annum. For expenses, \$1,650 per annum. For stenographer, \$600 per annum, and for postage and expressage, \$100 per annum.

For the office located in Peoria, for salary of superintendent, \$1,200 per annum. For assistant superintendent, \$900 per annum. For clerk, \$800 per annum. For the purpose of equipping and maintaining the same, the sum of \$1,400 per annum. For salary of stenographer, \$600 per annum, and for postage and expressage, the sum of \$100 per annum. And the further sum of \$400 per annum for each of said offices for the purpose of advertising, as provided by law.

Thirty-fifth—The sum of \$7,500 per annum, or so much thereof as may be necessary, to the Fish Commissioners of the State, to be used by them in pursuance of law; the sum of \$5,000 per annum, or so much thereof as may be necessary, for the personal traveling expenses of the fish commissioners, and for the service and expense of such persons as may be employed by them, including fish wardens, while performing such services for which no fees are allowed in enforcing the laws for the protection of fish and relating to highways [fishways]; also the sum of \$5,000, or so much thereof as may be necessary, to build and place a new hull under the boat owned by the State and used by the fish commissioners; and \$2,500 per annum, or so much thereof as may be necessary, for the maintenance and operation of said boat. All expenditures to be upon bills of particulars certified to by a majority of the commissioners and approved by the Governor.

Thirty-sixth—To the Lieutenant Governor, for postage, telegraphing, stationery and other incidental expenses, the sum of \$50 per annum, payable upon his order:

Thirty-seventh—The sum of \$1,000, or so much thereof as may be necessary, to pay the expenses of the committees of the Forty-third General Assembly, such expenses to be certified as may be provided by resolution of either house.

Also the sum of \$2,550, or so much thereof as may be necessary, to pay the expenses incurred by the members of the Commission to Investigate the Convict Labor System, appointed by the Governor, authorized by a joint resolution of the Senate and House of Repre-

sentatives, Forty-first General Assembly, adopted April 11, 1899, to be paid on bill of particulars certified by the members of said commission.

Thirty-seven and a half—Also the sum of six thousand (6,000) dollars, or so much thereof as may be necessary, to pay the expenses of the committees of the Forty-second General Assembly while in the discharge of special duties under the direction of either branch thereof. Such expenses to include reasonable compensation to the sergeant-at-arms of the Senate and the doorkeeper of the House for serving the processes of the Senate or House and of the committees thereof, and such other expenses as is provided by resolution of either house: *Provided*, that no part of the same shall be allowed for railroad fare or expense of any kind not actually incurred.

Thirty-eighth—To the trustees of the Lincoln Homestead, for the salary of a custodian, the sum of \$1,000 per annum, and for repairs and improvements, the sum of \$300 per annum, to be expended by said trustees as provided in the act of 1887 creating said trust. To the trustees of Lincoln Monument, for salary of custodian, the sum of \$1,000 per annum; for fuel, care of grounds and other incidental expenses, \$1,500 per annum.

Thirty-ninth—To the State Board of Live Stock Commissioners the following sums are hereby appropriated: For salary of secretary, \$1,800 per annum; to pay the traveling and incidental expenses of the commissioners and secretary, \$2,000 per annum; for assistant secretary, who shall be a stenographer and typewriter, \$1,200 per annum; for salary of five agents at Union Stock Yards, Chicago, one agent at the National Stock Yards at East St. Louis, and one agent at Peoria, \$9,000 per annum; for janitor and messenger in office, \$720 per annum; for salary of assistant State veterinarian at Union Stock Yards, Chicago, \$1,800 per annum; for per diem and expenses of State Veterinarian, \$3,500 per annum; for telegraph, postage, expressage and other incidental expenses at the office, \$1,200 per annum.

For paying damages for animals diseased or exposed to contagion, slaughtered; for per diem and traveling expenses of assistant State veterinarians and agents, and the expenses of the board and its officers incurred in making examinations of the same, or in making examinations of any animals supposed to be diseased, including any additional clerical help rendered necessary in the office of said board; for property necessarily destroyed or disinfection of premises when such disinfection is practicable under any law of this State for the suppression and prevention of the spread of contagious and infectious diseases among domestic animals, the sum of \$20,000, or so much thereof as may be necessary.

Fortieth—To the Insurance Superintendent, for actuary, \$3,000 per annum; for chief clerk, \$2,500 per annum; for messenger, \$720 per annum; for janitor, \$720 per annum, and for other necessary clerk hire in his office, the sum of \$13,000 per annum; for postage, express charges, telegraphing and other incidental expenses, the sum of \$6,000 per annum; for expenses in attending the annual convention of

insurance commissioners, the sum of \$125 per annum; for expenses of examinations and investigations which can not be collected from the companies or associations examined, \$1,000 per annum, or so much thereof as may be necessary; for all examinations and investigations, such amount for expenses incurred and services of assistants employed, as shall be collected from the companies and associations examined, for expenses in the prosecution of violations of the insurance laws, the sum of \$6,000 per annum, and for legal services the sum of \$4,000 per annum; for printing and distributing the reports of the farmers' mutual insurance companies, the sum of \$500 per annum, or so much thereof as may be necessary.

All salaries or clerk hire to be payable upon monthly pay-rolls duly certified by the Insurance Superintendent, and other items to be payable on bills of particulars certified to by the Insurance Superintendent with the approval of the Governor.

For making valuations of reserves of life insurance companies the insurance department, with the approval of the Governor, is hereby authorized to use the sums collected for such purposes in the payment of the costs thereof, and include the same in his annual report to the Governor.

Forty-first—To the Illinois State Historical Library, for the continuation, care and maintenance thereof, the sum of \$1,500 per annum; for salary of librarian, \$1,000 per annum; and for the publication of books and pamphlets relative to the early history of the State of Illinois, to be expended under the provisions and in the manner specified in the act of 1889 establishing said library, the sum of \$1,000 per annum.

Forty-second—To the State Factory Inspectors, for the salary of the State Factory Inspector, the sum of \$1,500 per annum; for the salary of the assistant State Factory Inspector, the sum of \$1,000 per annum; for the salary of fourteen deputy factory inspectors, the sum of \$750 each per annum; for traveling and other legitimate expenses incurred by the inspectors in the performance of their duties, the sum of \$8,000 per annum.

Forty-third—To the Supreme Court reporter, for the expenses of printing in advance the opinions of the Supreme Court, and of distributing printed proofs thereof to the several members of the court, together with the expenses of transmitting such proofs and the original opinions by mail and express, and to make printers' corrections in said proofs after final adoption, the sum of \$750 per annum, payable upon bills of particulars certified to by at least two judges of said court. To the Supreme Court reporter, for custodian and messenger, the sum of \$720 per annum, payable upon bills of particulars duly certified by him and approved by the Governor.

Forty-fourth—To the State Board of Arbitration, for the salary of the secretary, \$2,500 per annum; for traveling expenses of the members and secretary, and for postage, stationery, telegraphing, expressage and all other necessary expenses, the

sum of \$2,500 per annum, or so much thereof as may be necessary, payable upon bills of particulars duly certified to by the members of said board and approved by the Governor.

Forty-fifth—The salary of the clerk of the board of pardons, \$2,000 per annum; for stenographer, \$750 per annum; and for postage, expressage and other incidental expenses of the office, \$1,500 per annum, all to be paid on bills of particulars certified to by the members of the board and approved by the Governor.

Forty-sixth—To the State Entomologist, for field, office, incidental and library expenses, the sum of \$1,500 per annum; for the pay of assistants, the sum of \$2,000 per annum; for the illustration of bulletins and reports, the sum of \$500 per annum; for expenses incurred under the "Act to prevent the introduction and spread in Illinois of the San Jose scale and other dangerous insects and contagious diseases of fruits," including the expenses of prosecuting violators of said law, the sum of \$15,000, or so much thereof as may be necessary, payable upon bills of particulars duly certified by the State Entomologist and approved by the Governor.

To the State Agricultural Experiment Station, for the publication of bulletins prepared by the State Entomologist, the sum of \$750 per annum.

To the State Laboratory of Natural History, for the expenses of the natural history survey, the sum of \$8,000 per annum; for the supply of natural history specimens to educational institutions and to the public schools, the sum of \$500 per annum; for the publication of bulletins and reports, the sum of \$1,000 per annum; and for the illustration of a report of the natural history survey on the fishes of the State, the sum of \$3,000.

Forty-seventh—To the State Board of Health, for salary of secretary, the sum of \$3,000 per annum; for necessary office expenses, including expenses incurred in attending meetings of the board, for making sanitary investigations, and for the purpose of investigating the cause and preventing the spread of such contagious and infectious diseases as tuberculosis, typhoid fever, diphtheria, scarlet fever, influenza and malarial fevers, the sum of \$3,000 per annum; for chief clerk, \$1,800 per annum; for clerks, \$1,200 per annum; for stenographer and typewriter, \$1,000 per annum, and for incidental expenses, the sum of \$300 per annum.

Also the sum of \$10,000 per annum, to be used only with the consent and concurrence of the Governor, on the recommendation and advice of the board, in case of the outbreak, or threatened outbreak, of any epidemic of malignant diseases, such as smallpox, yellow fever, Asiatic cholera and typhus fever, to defray the expenses of preventing the introduction of such diseases, or their spread from place to place within the State; to suppress outbreaks which may occur, and to investigate methods of their prevention; also special investigations, when required by the sanitary necessity of the State. This fund may be used also for the protection of human lives in times of disease and disaster beyond the relief of individual or organized charity.

Also the sum of \$25,000 for the necessary expenses incurred in the supervision and inspection of lodging houses in cities of one hundred thousand or more inhabitants.

Forty-eighth—To the State Food Commissioners, for the salary of the assistant State analyst the sum of \$1,000 per annum; for the salary of stenographer the sum of \$720 per annum; for rent of offices and laboratory the sum of \$1,200 per annum; payable on bills certified to by the State Food Commissioners and approved by the Governor.

Forty-ninth—To the University of Illinois, for the payment of interest on the endowment funds of said university, as provided by Section 2 of the act relating to said university, approved June 11, 1897, for the years 1901 and 1902, the sum of fifty-six thousand (56,000) dollars, and for arrears of interest for the year ending January 1, 1901, two thousand two hundred forty-eight dollars and forty-five cents (\$2,248.45).

Fiftieth—The Auditor of Public Accounts is hereby authorized and directed to draw warrants on the State Treasurer for the sums herein specified upon the presentation of proper vouchers; all sums herein appropriated for the pay of the clerks, secretaries, porters, messengers, janitors, watchmen, policemen, laborers, engineers, firemen, stenographers, curators and librarians, shall, when not otherwise provided by law, be paid upon monthly pay-rolls duly certified to, respectively, by heads of departments, bureaus or boards of commissioners and trustees requiring the services of such employes; and the State Treasurer shall pay the same out of the proper funds in the treasury not otherwise appropriated. Said warrants shall be drawn in favor of and payable to the order of the person entitled thereto.

APPROVED May 10, 1901.

ARBITRATION.

POWERS AND DUTIES OF BOARD.

§ 1. Amends act of 1899.

Approved May 11, 1901.

§ 6b. Duties and powers of Board of
Arbitration.

AN ACT to amend an act entitled, "An act to create a State Board of Arbitration for the investigation or settlement of differences between employers and their employes, and to define the powers and duties of said board," approved and in force August 2, 1895, as amended by an act approved and in force April 12, 1899, by inserting therein a new section, to be designated "Section 6b."

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That an act entitled, "An act to create a State Board of Arbitration for the investigation or settlement of differences between employers and their employes, and to de-

fine the powers and duties of said board," approved and in force August 2, 1895, as amended by an act approved and in force April 12, 1899, be amended by inserting therein, immediately after Section 6a of said act, a new section, to be designated "Section 6b," said section to read as follows:

§ 6b. Whenever there shall exist a strike or a lock-out, wherein, in the judgment of a majority of said board, the general public shall appear likely to suffer injury or inconvenience with respect to food, fuel or light, or the means of communication or transportation, or in any other respect, and neither party to such strike or lock-out shall consent to submit the matter or matters in controversy to the State Board of Arbitration, in conformity with this act, then the said board, after first having made due effort to effect a settlement thereof by conciliatory means, and such effort having failed, may proceed of its own motion to make an investigation of all facts bearing upon such strike or lock-out and make public its findings, with such recommendations to the parties involved as in its judgment will contribute to a fair and equitable settlement of the differences which constitute the cause of the strike or lock-out; and in the prosecution of such inquiry the board shall have power to issue subpoenas and compel the attendance and testimony of witnesses as in other cases.

APPROVED May 11, 1901.

BOARDS OF HEALTH.

TOWN AND COUNTY BOARDS OF HEALTH.

§ 1. By whom constituted—duties of board in case of contagious or infectious disease—powers of board—does not apply to any incorporated city or village—State Board of Health to discharge duties at expense of county or township in case of failure of duty of county or township boards.

§ 2. Powers of boards of health.

§ 3. Penalty. Fines—disposition of—State's attorney to prosecute.

§ 4. Clerks to keep records and make reports of doings of boards.

§ 5. Compensation.

§ 6. Repeal.

Approved May 10, 1901.

AN ACT to create and establish boards of health in counties not under township organization, and in townships in counties under township organization outside of the corporate limits of incorporated cities and villages, to prescribe their duties and powers and provide for enforcing the same.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* The board of county commissioners in counties not under township organization, and the supervisor, assessor and town clerk of every town in counties under township organization, shall constitute a board of health, and on the

breaking out of any contagious or infectious disease in their county or town, or in the immediate vicinity thereof, it shall be their duty to make and enforce such rules and regulations tending to check the spread of the disease within the limits of such county or town as may be necessary; and for this purpose they shall have power to shut up any house or place where any infected persons may be, and cause notices of warning to be put thereon, or remove such person to any pest house within the limits of said county or town, at the expense of the party so moved, if said party be of sufficient ability to pay, or otherwise, at the expense of said county or town: *Provided*, that nothing in this act shall apply to any territory lying within the corporate limits of any incorporated city or village: *Provided, further*, that in case the board of health of any county not under township organization, or of any township in counties under township organization, shall fail, refuse or neglect to promptly take the necessary measures to preserve the public health, or in case any such board of health shall refuse or neglect to carry out the rules and regulations of the State Board of Health, that thereupon the State Board of Health may discharge such duties and collect from the county, or township, as the case may be, the reasonable costs, charges and expenses incurred thereby.

§ 2. The said boards of health shall have the following powers:

First.—To do all acts, make all regulations which may be necessary or expedient for the promotion of health or the suppression of disease.

Second.—To appoint physicians as health officers and prescribe their duties.

Third.—To declare what shall be a nuisance and abate the same.

Fourth.—To provide gratuitous vaccination and disinfection.

Fifth.—To require reports of dangerously communicable diseases.

Sixth.—To require reports of deaths, with such correlative facts as the interests of the public health may necessitate; to issue burial permits when the cause of death is communicable.

Seventh.—To incur the expenses necessary for the performance of the duties and powers enjoined upon the board.

§ 3. Any person who shall violate, or refuse to obey, any rule or regulation of the said board of health, shall be liable to a fine not exceeding \$200 for each offense, or imprisonment in the county jail not to exceed six months, or both in the discretion of the court.

All fines collected under the provisions of this act shall be paid into the county treasury of the county in which the suit is brought, to be used for county purposes, and it shall be the duty of the State's attorney in the respective counties to prosecute all persons violating, or refusing to obey, the rules of said local boards of health.

§ 4. The clerk of the board of county commissioners, or the town clerk, as the case may be, shall keep a full record of all the

doings of said board and report the same to the annual meeting of such board of county commissioners or town board.

§ 5. The members of said boards of health shall be allowed for their time spent in the performance of their said duties, each, the sum of \$1.50 per day, which, together with all bills by them contracted and all sums of money by them expended, shall be audited and paid in the same manner as other county and town expenses.

§ 6. Sections one (1), two (2), and three (3) of Article XIV of an act entitled, "An act to revise the law in relation to township organization," approved and in force March 4, 1874, and all acts or parts of acts conflicting herewith are hereby repealed.

APPROVED May 10, 1901.

BOUNTIES.

BOUNTY FOR KILLING ENGLISH SPARROWS.

§ 1. Repeals Act of 1891.

Approved May 10, 1901.

AN ACT *repealing an act providing for the payment of bounties for killing English sparrows.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an act entitled, "An act providing for the payment of bounties for killing English sparrows," approved and in force July 1, 1891, be, and the same is hereby, repealed.

APPROVED May 10, 1901.

CEMETERIES.

GARRISON HILL CEMETERY.

Preamble.

§ 1. Commissioners—Term of office.

§ 2. Duties of commissioners—Salary and duties of custodian—Emergency.

Approved May 11, 1901.

AN ACT *to provide for the appointment of three commissioners of Garrison Hill Cemetery, in Randolph county, and for the appointment of a custodian thereof.*

WHEREAS, A bill was passed by the General Assembly in 1891, approved June 1, 1891, and in force July 1, 1891, for the purpose of

removing the remains from the three graveyards at Kaskaskia, Randolph county, Illinois, to a convenient and safe place in said county, for the purpose of preserving the remains of the dead in said graveyards; and,

WHEREAS, The bill provided for three commissioners to superintend such change and fix the location of the new cemetery; and,

WHEREAS, Said commissioners located the new cemetery for said remains on Garrison Hill, in said county, known as the Garrison Hill Cemetery; and,

WHEREAS, Said bill made no provision for the custody and care of said cemetery; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the Governor is hereby empowered to appoint three commissioners for the purpose of superintending said Garrison Hill Cemetery, who shall hold their term of office for the period of four years and until their successors are duly elected and inducted into office; said commissioners to serve without any compensation.

§ 2. Said commissioners shall have the power to appoint one custodian of said cemetery at a salary of fifty dollars per annum, to be paid out of any moneys belonging to the State treasury not otherwise appropriated, said custodian to keep the said cemetery in good condition for said amount; and,

WHEREAS, Because of the facts recited in the preamble of this act, an emergency is deemed to exist, this act shall take effect from and after its passage.

APPROVED May 11, 1901.

MUNICIPALITIES MAY ESTABLISH CEMETERIES.

§ 1. Amends act of 1877.

§ 1. Acquisition of lands for cemeteries; authority conferred on cemetery associations.

Approved May 11, 1901.

AN ACT to amend an act entitled, "An act to amend an act entitled, 'An act to enable cities and villages to establish and regulate cemeteries,'" approved March 24, 1874, amended by an act approved May 25, 1877, in force July 1, 1877, approved and in force June 14, 1883.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That Section 1 following the enacting clause of an act entitled, "An act to amend an act entitled, 'An act to enable cities and villages to establish and regulate ceme-

teries,' " approved March 24, 1874, amended by an act approved May 25, 1877, in force July 1, 1877, approved and in force June 14, 1883, be amended to read as follows:

Section 1. That any city, village or township in this State may establish and maintain cemeteries, within and without its corporate limits, and acquire lands therefor by condemnation or otherwise, and may lay out lots of convenient size for families; and may sell lots for family burying ground, or to individuals for burial purposes: *Provided*, associations duly incorporated under the laws of this State for cemetery purposes shall have the same power and authority to purchase lands and sell lots for burial purposes as are conferred upon cities, villages or townships under this act.

APPROVED May 11, 1901.

CITIES, TOWNS AND VILLAGES.

ANNEXATION OF TERRITORY.

§ 1. Amends Section 1, act of 1872.

Approved May 10, 1901.

§ 1. Provides for annexation of contiguous territory—Petition—Election—When held—Annexed by ordinance—Ordinance and map filed in office of the recorder of deeds—Annexation of part of a city, town or village.

AN ACT to amend Section 1 of an act entitled, "*An act to provide for annexing and excluding territory to and from cities, towns and villages, and to unite cities, towns and villages,*" approved April 10, 1872, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That Section 1 of an act entitled, "*An act to provide for annexing and excluding territory to and from cities, towns and villages, and to unite cities, towns and villages,*" approved April 10, 1872, in force July 1, 1872, be amended to read as follows:

Section 1. That on petition, in writing, signed by a majority of the legal voters, and by a majority of the property owners, in any territory contiguous to any city or incorporated village or town, and not embraced within its limits, the city council or board of trustees of said village, city or town (as the case may be) shall submit to a vote of the people of said city, village or town (as the case may be), at its next regular election, or a special election to be called within sixty (60) days after said petition is presented, the question of the annexation of such proposed territory. *Provided, however,* that where the said petition shall be presented within ninety (90) days prior to a regular election, no special election shall be called. In

case the question of such annexation shall receive a majority of all the votes cast at said election in favor thereof, the city council or board of trustees of said city, village or town (as the case may be), shall, within ninety days thereof, by ordinance, annex such territory to such city, village or town, upon filing a copy of such ordinance, with an accurate map of the territory annexed (duly certified by the mayor of the city or president of the board of trustees of the village or town) in the office of the recorder of deeds in the county where the annexed territory is situated, and having the same recorded therein: *Provided*, that no portion less than the whole of an incorporated city, town or village shall be annexed to another incorporated city, town or village, except in the mode provided in this act for the annexation of the whole of an incorporated city, town or village to another city, town or village.

APPROVED May 10, 1901.

DISCONNECTION OF TERRITORY.

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| <p>§ 1. Petition for disconnection of territory not laid out into city or village lots or blocks—by whom signed—filed with city clerk or president of village board—accompanied with county clerk's certificate showing payment of taxes—filed 30 days before presenting to city council or village trustees—territory disconnected by ordinance—disconnected territory not exempt from contracted indebtedness.</p> | <p>§ 2. Recording ordinance disconnecting territory in recorder's office—copy of ordinance filed with county clerk.</p> <p>§ 3. Courts to take judicial notice.</p> <p>§ 4. Act applies in pending cases.</p> <p>§ 5. Repeal.</p> <p>§ 6. Emergency.</p> |
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Approved May 10, 1901.

AN ACT in relation to the disconnection of territory from cities and villages, and to repeal an act therein named.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That whenever the owners representing a majority of the area of land of any territory within any city or village, and being upon the border and within the boundary thereof, not laid out into city or village lots or blocks, shall petition the city council of such city, or the trustees of such village, praying the disconnection of such territory therefrom, such petition shall be filed with the city clerk of such city, or the president of the trustees of such village, accompanied with the certificate of the county clerk showing that all city taxes or assessments due up to the time of presenting such petition are fully paid, at least 30 days before the meeting of such city council or trustees at which it is proposed to present such petition, and the city clerk of such city or president of the trustees of such village, shall present such petition to the city council or trustees, as the case may be, and upon such presentation the city council of such city or trustees of such village may, in the discretion of such city council or trustees of such village, by ordinance, to be passed by a majority of the members elected to such city council or board of trustees, disconnect the territory de-

scribed in such petition from such city or village: *Provided, however*, that the territory so disconnected shall not thereby be exempted from taxation for the purpose of paying any indebtedness contracted by the corporate authorities of such city or village while such territory was within the limits thereof, and remaining unpaid, but the same shall be assessed and taxed for the purpose of paying such indebtedness the same as if such territory had not been disconnected until such indebtedness is fully paid.

§ 2. A copy of the ordinance disconnecting the territory from any city or village, certified by the clerk of such city, or president of the trustees of such village, shall be filed for record and recorded in the recorder's office of the county in which such disconnected territory is situated, and a copy of such ordinance so certified shall be filed with the clerk of the county court of the county in which such disconnected territory is situated.

§ 3. All courts in this State shall take judicial notice of cities and villages and the changes made in their territory under this act.

§ 4. This act shall apply to and affect all cases where property has not been disconnected by such city council or trustees of such village, whether application has been made for disconnection or not.

§ 5. An act in relation to the disconnection of territory from cities and villages, approved and in force May 29, 1879, and all other acts and parts of acts in conflict with this act are hereby repealed.

§ 6. WHEREAS, An emergency exists, therefore this act shall take effect and be in force from and after its passage.

APPROVED May 10, 1901.

FIREMEN'S PENSION FUND.

§ 1. Amends section 1, act of 1895.

Approved April 24, 1901.

§ 1. License fee not to exceed 2 per cent of gross receipts—pension fund—license fee to be fixed by ordinance, July reports, penalty for failure.

AN ACT to amend Section one (1) of an act entitled, "*An act to enable cities, towns and villages organized under any general or special law to levy and collect a tax or license fee from foreign fire insurance companies for the benefit of organized fire departments,*" in force July 1, 1895, so as to provide for the appropriation of part of such tax or fees to the firemen's pension fund.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section one (1) of an act entitled, "*An act to enable cities, towns and villages organized under any general or special law to levy and collect a tax or license*

fee from foreign fire insurance companies for the benefit of organized fire departments," in force July 1, 1895, be amended so as to read as follows:

SECTION 1. All corporations, companies and associations not incorporated under the laws of this State, and which are engaged in any city, town or village organized under any general or special law of this State, in effecting fire insurance, shall pay to the treasurer of the city, town or village for the maintenance, use and benefit of the fire department thereof a sum of not exceeding two per cent of the gross receipts received by their agency in such city, town or village; twenty-five per cent of the amount so collected to be set apart and appropriated to the fund for the pensioning of disabled and superannuated members of the fire department, and of the widows and orphans of deceased members of the fire department of cities, villages or incorporated towns whose population exceeds fifty thousand and having a paid fire department. Cities, towns and villages are hereby empowered to prescribe by ordinances the amount of tax or license fee to be fixed, not in excess of the above rate, and at that rate such corporations, companies and associations shall pay upon the amount of all premiums, which during the year ending on every first day of July shall have been received for any insurance effected or agreed to be effected in the city, town or village, by or with such corporation, companies or association, respectively. Every person who shall act in any city, town or village as agent or otherwise for or on behalf of any such corporation, company or association, shall, on or before the 15th day of July of each and every year, render to the city, town or village clerk a full, true and just account, verified by his oath, of all the premiums which, during the year ending on every first day of July preceding such report, shall have been received by him, or any other person for him in behalf of any such corporation, company or association, and shall specify in said report the amounts received for fire insurance. Such agent shall also pay to the treasurer of any such city, town or village, at the time of rendering the aforesaid report, the amount of rates fixed by the ordinance of the said cities, towns or villages for which the companies, corporations or associations represented by them are severally chargeable by virtue of this act and the ordinance passed in pursuance hereof. If such account be not rendered on or before the day herein designated for that purpose, or if the said rates shall remain unpaid after that day, it shall be unlawful for any corporation, company or association so in default to transact any business of insurance in any such city, town or village until the said requisition shall have been fully complied with; but this provision shall not relieve any company, corporation or association from the payment of any risk that may be taken in violation hereof.

APPROVED April 24, 1901.

JURISDICTION OF POLICE MAGISTRATES IN CERTAIN MUNICIPALITIES.

- § 1. Location of office of police magistrate. | Approved May 14, 1901.
 § 2. Jurisdiction of such police magistrates. |

AN ACT defining the county in which police magistrates, elected in cities and villages lying in two or more counties shall hold office, and where such police magistrate shall exercise jurisdiction.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That police magistrates in cities and villages lying in two or more counties shall hold their office in the county in which the seat of the municipal government of such city or village is situated, irrespective of the portion of such city or village where such police magistrate may reside, and such police magistrate shall have the same authority and jurisdiction as justices of the peace of the township, or precinct, in the county in which the seat of such municipal government of such city or village is situated.

§ 2. Such police magistrate shall also have jurisdiction over all cases growing out of such municipal government arising within the municipal limits of such village or city that are now within the jurisdiction of justices of the peace.

APPROVED May 14, 1901.

LEGALIZING CERTAIN ELECTIONS.

- § 1. Legalizes elections held under act of | Approved May 10, 1901.
 1872—Returns may be filed within six
 months.
 § 2. Emergency. |

AN ACT to legalize certain elections held under "An act to provide for the incorporation of cities and villages," approved April 10, 1872, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That whenever any city, town or village has held an election to incorporate as a city or village under the general law, and the returns of such election have not been entered upon the records of such village, or of the county court, showing the canvass of votes, and the result of such election, and the canvass of votes and the result of the election for first officials, and a certified copy of such records, filed and recorded in the office of the recorder of deeds in the county in which such city or village is situated, and filed in the office of the Secretary of State, such elections so held by any such city, town or village are hereby declared legal and valid: *Provided*, such returns of such elections are now, or shall [be made] within six months from the date when this act becomes effective, and certified copies of the same are filed and recorded as required by section 13 of said act as amended, to which this act refers, within said six months, and all elections of officers, and organization of any cities and villages in this State, under and by virtue of any such

elections, if otherwise according to law, are hereby legalized and made effective, and all the acts of said cities and villages are hereby legalized and made effective, and all the acts of any such cities or villages, if otherwise legal, are also hereby made legal and binding; and upon the filing and recording as aforesaid, the Secretary of State shall charter said city or village by his certificate duly authenticated under his hand and the great seal of the State.

§ 2. WHEREAS, The records of several of the cities and villages in this State are deficient in the particular set forth in section 1 of this act, and such cities and villages are without charter and warrant of law to do business, therefore an emergency exists, and this act shall be in force from and after its passage.

APPROVED May 10, 1901.

LOCAL IMPROVEMENTS—REPORTS.

§ 1. Repeal of ordinance for improvement.
How made.

§ 2. Report of board of local improvements
—to whom made—when made. Act
does not apply to cities or villages of
less than 100,000 population.

§ 3. Emergency.

Approved May 10, 1901.

AN ACT to provide for reports to be made by the board of local improvements to the city council or board of trustees, and in reference to the repealing of ordinances for local improvements.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* No repeal of any ordinance ordering an improvement shall be made except on written recommendation of the board of local improvements (stating therein its reasons therefor).

§ 2. It shall be the duty of the board of local improvements to submit to the city council, or board of trustees, as the case may be, during the months of May and October of each year, for three years following the completion of any public work, a written report of its condition, based upon a careful examination of the same by said board of local improvements, or by its representative, who shall be an experienced and capable man of good character: *Provided*, this act shall not apply to cities or villages in this State having a population of less than 100,000.

§ 3. WHEREAS, A great number of improvements are being delayed on account of the hardships inflicted upon property owners under the present statutes, therefore an emergency exists, and this act shall take effect from and after its passage.

APPROVED May 10, 1901.

LOCAL IMPROVEMENTS—SPECIAL ASSESSMENTS.

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| <p>§ 1. Recites number of sections amended.</p> <p>§ 2. Municipalities of 50,000 or more—Officers, appointment, compensation, vacancies.</p> <p>§ 3. Municipalities of less than 50,000—Officers, appointment, compensation, vacancies.</p> <p>§ 6. Municipalities of 100,000 or more—Board of local improvements, constitution of, organization, salaries—Boards in municipalities between 100,000 and 50,000—Boards in municipalities less than 50,000.</p> <p>§ 7. Preliminary proceedings—Notice of public hearing—When public hearing unnecessary.</p> <p>§ 8. Public hearings, how conducted—Objectors—New resolution—New hearing—Ordinance to describe damaged property—Remonstrance petitions.</p> <p>§ 10. Estimates to accompany ordinance.</p> <p>§ 16. Net damages or benefits.</p> <p>§ 34. Improvements asked by majority of frontage—Sidewalks.</p> <p>§ 38. Making assessment.</p> <p>§ 39. Apportionment of cost—Assessments not to exceed benefits.</p> <p>§ 41. Assessment roll—Notices.</p> <p>§ 42. Division of assessments into installments—Interest on assessments and installments.</p> <p>§ 44. Notice by posting and publication—form of notice.</p> <p>§ 56. Judgments, review, vacation—Effect of judgment.</p> <p>§ 59. Supplemental assessment.</p> <p>§ 61. Collection—Certifying roll.</p> <p>§ 62. Warrant to collector.</p> | <p>§ 65. Report of delinquent list to county collector.</p> <p>§ 67. Application for judgment sale—Revenue laws to govern.</p> <p>§ 73. Contracts payable from assessments—Claim limited to fund collected—Separate account with each warrant number.</p> <p>§ 74. Letting of contracts—Approval.</p> <p>§ 75. When contract shall be let—Appeal, stay, etc.</p> <p>§ 76. Notice for letting contracts. Bids.</p> <p>§ 79. Notice of award of contracts.</p> <p>§ 81. Rejecting bids in case of default.</p> <p>§ 83. Attorney for board—Engineer, assistants, etc.—Execution and superintendence of work—No recourse on municipality—Remedy for damages.</p> <p>§ 84. Crediting excess upon assessments.</p> <p>§ 86. Bonds to anticipate installments—Form of bond.</p> <p>§ 88. Payment of bonds or vouchers—Costs to be paid out of first installment.</p> <p>§ 90. No claims except against assessments.</p> <p>§ 92. Interest on bonds to be paid out of assessments.</p> <p>§ 93. Rebates.</p> <p>§ 94. Expenses to be paid out of general fund.</p> <p>§ 96. Writs of error.</p> <p>§ 99. Repeal. Proviso.</p> |
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§ 2. Emergency.

Approved May 9, 1901.

AN ACT to amend an act entitled, "*An act concerning local improvements*," approved June 14, 1897.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections two, three, six, seven, eight, ten, sixteen, thirty-four, thirty-eight, thirty-nine, forty-one, forty-two, forty-four, fifty-six, fifty-nine, sixty-one, sixty-two, sixty-five, sixty-six, sixty-seven, seventy-three, seventy-four, seventy-five, seventy-six, seventy-nine, eighty-one, eighty-three, eighty-four,

eighty-six, eighty-eight, ninety, ninety-two, ninety-three, ninety-four, ninety-six and ninety-nine, of an act entitled, "An act concerning local improvements," approved June 14, 1897, be amended so as to read as follows, respectively:

§ 2. In cities of this State having a population of fifty thousand (50,000) or more, by the last preceding census of the United States, or of this State, there shall be appointed and designated, in the manner provided by law, or if no such method be provided, then by appointment of the mayor, a commissioner of public works, a superintendent of streets, a superintendent of special assessments, a superintendent of sewers and a city engineer; the compensation of such officers, if not fixed by law, shall be determined by the city council or board of trustees, and no order, resolution or ordinance to change the same shall be passed within one month after its introduction and publication. Such offices shall not be discontinued at any time, by ordinance or otherwise, but vacancies therein shall be filled in the same manner as the original appointment. The appointees to said offices shall be subject to removal by the mayor, but the term of office shall be held to expire as soon after the end of the term of the mayor appointing as their successors shall be appointed and qualified.

§ 3. In cities having a population of less than fifty thousand (50,000), ascertained as aforesaid, and in villages and incorporated towns, the city council or board of trustees may, in their discretion, provide by ordinance that the mayor or president, as the case may be, shall appoint and designate a superintendent of streets and a public engineer, which offices may be discontinued by ordinance, to take effect at the expiration of the then fiscal year, and no officer, filling any office so discontinued shall have any claim against such city, village or town for any compensation after such discontinuance. Vacancies therein shall be filled as above provided. The compensation and term of office shall be ascertained as in the last paragraph.

§ 6. In cities within the terms of this act, having a population of one hundred thousand (100,000) or more, by the last preceding census of the United States, or of this State, there is hereby created a board of local improvements, consisting of the superintendent of special assessments and four other members; such four other members shall be nominated by the mayor and shall be confirmed by the council or board of trustees of such city; and no one of which, except such superintendent of special assessments, shall be the head of any department of the government of such city or hold any other office or position therein. Said board shall elect from its members a president, a vice-president and an assistant secretary. The superintendent of special assessments shall be *ex-officio* secretary of the board. In the absence or the inability of the president and the secretary to act, the vice-president for the president, and the assistant secretary for the secretary, are hereby given full power to sign and execute contracts, vouchers, bonds, pay-rolls and all other papers, documents, and instruments necessary to carry this act and all proceedings hereunder

into full force and effect. Said board shall hold daily sessions for the transaction of all business in rooms accessible to the public, to be provided by the city council.

The city council or board of trustees of such city shall provide for salaries for said board of local improvements.

In cities within the terms of this act having a population of more than fifty thousand (50,000) and less than one hundred thousand (100,000), by the last preceding census of the United States, or of this State, there is hereby created a board of local improvements, consisting of five members, of which board the commissioner of public works shall be the president. The other members of said board shall be the superintendent of streets, the superintendent of sewers, the superintendent of special assessments and the city engineer.

In cities having a population of less than fifty thousand (50,000), and in villages and incorporated towns, the board of local improvements shall consist of the mayor of said city, or the president of such village or town, who shall be president of such board, and the public engineer and the superintendent of streets of such municipality, where such officers shall be provided for by ordinance; but, if at any time, no such officers shall be provided for, then the city council or the board of trustees, as the case may be, shall by ordinance designate two or more members of such body, who shall, with such mayor or president of such village or town, until otherwise provided by ordinance, constitute the members of the board.

§ 7. All ordinances for local improvement to be paid for wholly or in part by special assessment or special taxation shall originate with the board of local improvements. Petitions for any such public improvement shall be addressed to said board. Said board shall have the power to originate a scheme for any local improvement to be paid for by special assessment or special tax, either with or without a petition, and in either case shall adopt a resolution describing the proposed improvement, which resolution shall be at once transcribed into the records of the board.

Whenever the proposed improvement will require that private property be taken or damaged, such resolution shall describe the property proposed to be taken for that purpose. Said board shall, by the same resolution, fix a day and hour for the public consideration thereof, which shall not be less than ten days after the adoption of such resolution. Said board shall also cause an estimate of the costs of such improvement (omitting land to be acquired) to be made in writing by the engineer of the board (if there be one, if not, then by the president) over his signature, which shall be itemized to the satisfaction of said board, and which shall be made a part of the record of such resolution. Notice of the time and place of such public consideration or hearing shall be sent by mail directed to the person who paid the general taxes for the last preceding year on each lot, block, tract or parcel of land fronting on the proposed improvement, not less than five (5) days prior to the time set for such public hearing. Said notice shall contain the substance of the resolution adopted by

the board and the estimate of the cost of the proposed improvement, and a notification that the extent, nature, kind, character and estimated cost of such proposed improvement may be changed by said board at the public consideration thereof, and that if upon such hearing the board shall deem such improvement desirable, it shall adopt a resolution therefor and prepare and submit an ordinance therefor as hereinafter provided.

Provided, however, that in proceedings only for the laying, building, constructing or renewing of any sidewalk, water service pipe or house drain, no resolution, public hearing or preliminary proceedings leading up to the same shall be necessary. In such proceedings the board may submit to the city council or board of trustees, as the case may be, an ordinance, together with its recommendation, and the estimated cost of the improvement, as made by the engineer, as herein provided, and such proceedings shall have the same force and effect as though a public hearing had been had thereon.

§ 8. At the time and place fixed in said notice for the public hearing, the said board shall meet and hear the representations of any person desiring to be heard on the subject of the necessity for the proposed improvement, the nature thereof, or the cost as estimated. In case any person shall appear to object to the proposed improvement or any of the elements thereof, said board shall adopt a new resolution abandoning the said proposed scheme, or adhering thereto, or changing, altering or modifying the extent, nature, kind, character and estimated cost, provided such change shall not increase the estimated cost of the improvement to exceed twenty (20) per centum of the same, without a further public hearing thereon, as it shall consider most desirable; and thereupon, if the said proposed improvement be not abandoned, the said board shall cause an ordinance to be prepared therefor, to be submitted to the council or board of trustees (as the case may be). Such ordinance shall prescribe the nature, character, locality and description of such improvement, and shall provide whether the same shall be made wholly or in part by special assessment, or special taxation of contiguous property; and, if in part only, shall so state.

If property is to be taken or damaged for said improvement, such ordinance shall describe the same with reasonable certainty.

In cities of 100,000 inhabitants or over, when a remonstrance petition is filed by the owners of a majority of the frontage on the line of the proposed improvement with the board of local improvements within thirty (30) days after the public hearing thereon, said board shall thereupon stay all proceedings therein for one year from said date.

The remonstrance above referred to to be filed with the board shall contain the signatures of the owners or legal representatives, the description of the property owned or represented, the number of feet so owned or represented, and shall be verified by affidavit of one or more property owners fronting on the line of the proposed improvement, setting forth that the party making the affidavit is a

property owner fronting on the proposed improvement, and that the parties who signed the same are the owners or legal representatives of the property described therein.

§ 10. Together with the said ordinance and recommendation shall be presented to the city council or board of trustees an estimate of the cost of such improvement, as originally contemplated, or as changed, altered or modified at the public hearing, itemized so far as the board of local improvements shall think necessary, over the signature of the engineer of the board, if there be one; if not, then of the president of said board, who shall certify that, in his opinion, the said estimate does not exceed the probable cost of the improvement proposed and the lawful expenses attending the same. The recommendation by said board shall be *prima facie* evidence presumed to be based upon a full compliance with the requirements of the act.

§ 16. If the amount awarded to any person for property taken or damaged for such improvement be greater than the amount assessed against the property for such improvement, or if the benefit be greater than the damage, in either case the difference only shall be collectible of the owner or be paid to him.

§ 34. Whenever the owners of one-half of the property abutting on any street, alley, park or public place, or portion thereof, shall petition for any local improvement thereon, the board of local improvements in any city, village or town shall take the steps hereinbefore required for a hearing thereon, but at such hearing shall consider only the nature of the proposed improvement and the cost thereof, and shall determine, in the manner above provided, the nature of the improvement which it will recommend, and shall thereupon prepare and transmit to the legislative body a draft of an ordinance therefor, together with an estimate of the cost, as above described, and shall recommend the passage thereof, which recommendation shall be *prima facie* evidence that all the preliminary steps required by law have been taken; and thereupon it shall be the duty of such legislative body to pass an ordinance for the said improvement and take the necessary steps to have the same carried into effect. Whenever any ordinance shall provide only for the building or renewing of any sidewalk, the owner of any lot or piece of land fronting on such sidewalk shall be allowed forty (40) days after the time at which said ordinance shall take effect in which to build or renew such sidewalk opposite to his land, and thereby relieve the same from assessment: *Provided*, the work so to be done shall in all respects conform to the requirements of such ordinance.

Notice of the passage of such ordinance shall be sent by mail within ten days after such passage to the person who paid the taxes on said premises for the preceding year, if he or they can be found in said county, and also a like notice addressed to the "occupant" of said property, if the same be at such time actually occupied, and an affidavit of such service shall be filed with the official report of such assessment. Such affidavit shall be *prima facie* evidence of a compliance with said requirements.

§ 38. Upon the filing of such petition, the superintendent of special assessments, in cities where such officer is provided for by this act, otherwise some competent person appointed by the president of the board of local improvements, shall make a true and impartial assessment of the cost of the said improvement upon the petitioning municipality and the property benefited by such improvement.

§ 39. It shall be the duty of such officer to estimate what proportion of the total cost of such improvement will be of benefit to the public, and what proportion thereof will be of benefit to the property to be benefited, and to apportion the same between the city, village or town and such property, so that each shall bear its relative equitable proportion; and having found such amounts, to apportion and assess the amount so found to be of benefit to the property upon the several lots, blocks, tracts and parcels of land in the proportion in which they will be severally benefited by such improvement: *Provided*, that no lot, block, tract or parcel of land shall be assessed a greater amount than it will be actually benefited; and when the proposed improvement is for the construction of a sewer, to investigate and report the district which will be benefited by such proposed sewer, describing the same by boundaries.

§ 41. The assessment roll shall contain a list of all the lots, blocks, tracts and parcels of land assessed for the proposed improvement, the amount assessed against each, the name of the person who paid the taxes on each such parcel during the last preceding calendar year in which taxes were paid, as ascertained upon investigation by the officer making the return, or under his direction, the residence of the person so paying the taxes on each such parcel if the same can on diligent inquiry be found; in case of assessment in installments, the amount of each installment shall also be stated; and the officer making such roll shall certify under oath that he verily believes that the amounts assessed against the public and each parcel of property are just and equitable, and do not exceed the benefit which will in each case be derived from said improvement, and that no lot, block, tract or parcel of land has been assessed more than its proportionate share of the cost of said improvement. Several lots, or parts of land, owned and improved as one parcel, may be assessed as one parcel. Unsubdivided tracts of land may, for the purpose of spreading assessments for house drains and water service pipes, be divided into lots of a frontage of twenty-five (25) feet each; and any fraction of frontage then remaining may be assessed as a fractional lot.

Notice shall be given of the nature of the improvement, of the pendency of said proceeding, of the time and place of filing the petition therefor, of the time and place of filing the assessment roll therein, and of the time and place at which application will be made for confirmation of the assessment, the same to be not less than fifteen (15) days after the mailing of such notices. Such notices shall be sent by mail postpaid to each of the said persons paying the taxes on the respective parcels during the last preceding year in which taxes

were paid, at his residence as shown in the assessment roll, or, if not shown, then to such person so paying the taxes, directed generally to the city, village or town in which said improvement is proposed to be made.

Such notice shall state the amount assessed to the person to whom the same is directed for the improvement proposed, the total amount of the cost of said improvement, and the total amount assessed as benefits upon the public. An affidavit shall be filed before the final hearing showing a compliance with the requirements of this section, and also showing that the affiant (either the officer making the said return, or some one acting under his direction,) made a careful examination of the collector's books showing the payments of general taxes during the last preceding year in which the taxes were paid thereon, to ascertain the person or persons who last paid the taxes on said respective parcels, and a diligent search for their residences, and that the report correctly states the same as ascertained by the affiant; and said report and affidavit shall be conclusive evidence, for the purpose of said proceeding, of the correctness of the assessment roll in said particulars; but in case the said affidavit shall be found in any respect wilfully false, the person making the same shall be deemed guilty of perjury and subject to the pains and penalties provided for such offense by the laws of this State.

§ 42. It shall be lawful to provide by the ordinance for any local improvement, any portion of the cost of which is to be defrayed by special assessment or special taxation, or by ordinance passed at any time before the confirmation of the assessment roll, that the aggregate amount assessed, and also each individual assessment, be divided into installments, not more than ten (10) in number. In all cases such division shall be so made that all installments shall be equal in amount, except that all fractional amounts shall be added to the first installment, so as to leave the remaining installments of the aggregate equal in amount and each a multiple of one hundred dollars (\$100). The first installment shall be due and payable on the second day of January next after the completion and acceptance of the work as certified by the board of local improvements to the officer authorized to collect the assessments, and the second installment one (1) year thereafter, and so on annually until all installments are paid.

All installments, except the first, shall bear interest as hereinafter provided until paid, at the rate of five (5) per centum per annum.

Interest on assessments shall begin to run from the date of the first voucher issued on account of work done, as certified by said board of local improvements to the city council or board of trustees (as the case may be) and to the clerk of the court in which such assessment was confirmed.

The interest on each installment, except the first, shall be payable as follows: On the second day of January next succeeding the date of said completion and acceptance of the work certified as aforesaid, the interest accrued up to that time on all unpaid installments shall

be due and payable and be collected with the installment, and thereafter the interest on all unpaid installments, then payable, shall be payable annually, and be due and payable at the same time as the installments maturing in such year and be collected therewith. In all cases it shall be the duty of the municipal collectors, as the case may be, whenever payment is made of any installment, to collect interest thereon up to the date of such payment, whether such payment be made at or after maturity.

Any person may at any time pay the whole assessment against any lot, piece or parcel of land, or any installment thereof, with interest as provided herein up to the date of payment.

§ 44. Petitioner shall, in addition to other notices hereinbefore provided for, cause at least fifteen (15) days' notice to be given prior to the time at which confirmation of said assessment shall be sought by posting notices in at least four public places in such city or village, all of which shall be in the neighborhood of such proposed improvement, and by publishing the same at least five successive days in some daily newspaper of said city, village or town; or, if no daily newspaper is published in such city, village or town, and a weekly paper is published therein, then at least once in each week for two successive weeks in some weekly newspaper; or if no daily nor weekly newspaper is published in such city, village or town, then at least once in each week for two successive weeks in some other newspaper published in the county in which said city, village or town is situated. Where other corporate authorities having power to make use of the provisions of this act shall do so, the notice may be published in any daily or weekly newspaper in the county in which such proceeding shall be had. The notice shall be over the name of the officer levying such assessment, and be substantially as follows:

"SPECIAL ASSESSMENT NOTICE."

"Notice is hereby given to all persons interested that the city council (or board of trustees, or other corporate authorities, as the case may be) of.....having ordered that (here insert a brief description of the nature of the improvement), the ordinance for the same being on file in the office of the.....clerk, having applied to the.....court of.....county for an assessment of the costs of said improvement, according to benefits, and an assessment therefor having been made and returned to said court, the final hearing thereon will be had on the.....day of..... A. D. 190., or as soon thereafter as the business of the court will permit. All persons desiring may file objections in said court before said day, and may appear on the hearing and make their defense."

(Here give date).

.....

Where the assessment is payable in installments, the number of installments and the rate of interest shall also be stated.

§ 56. The judgments of the court shall be final as to all the issues involved, and the proceedings in said cause shall be subject to review by appeal or writ of error as hereinafter provided, and not otherwise: *Provided, however,* that by mutual consent the same may be vacated or modified at a subsequent term, except as hereinafter provided.

Such judgments shall have the effect of several judgments as to each tract or parcel of land assessed, and no appeal from any such judgment or writ of error shall invalidate or delay the judgments, except as to the property concerning which the appeal or writ of error is taken. Such judgments shall be a lien upon the property assessed from the date thereof to the same extent and of equal force and validity as a lien for the general taxes, for a period of five years, if such assessment is payable in a single sum; if payable by installments, then until five years after the last installment comes due. Nothing in this section contained shall interfere with the right of the petitioner to dismiss its proceedings, and for that purpose to vacate such judgment at its election at any time before commencing the actual collection of such assessment, and no judgment entered in such proceeding so dismissed and vacated shall be a bar to another like or different improvement: *Provided,* that after the contract for the work shall have been entered into, or the bonds mentioned in this act issued, no judgment shall be vacated or modified or any petition dismissed at a term subsequent to that at which the judgment was rendered, nor the collection of the assessment be in any way stayed or delayed by the council or board of trustees, or board of local improvements, or any officer of the municipality, without the consent of the contractor and bondholder.

§ 59. Supplemental Assessments]. If in any case the first assessment prove insufficient, a second may be made in the same manner, as nearly as may be, and so on until sufficient moneys shall have been realized to pay for such public improvement. It shall be no objection to such assessment that the prior assessment has been levied, adjudicated and collected, unless it shall appear that in such prior cause, upon proper issue made, it was specially found, in terms, that the property objected for would be benefited by said improvement no more than the amount assessed against it in such prior proceedings. If too large a sum shall at any time be raised, the excess shall be refunded ratably to those against whom the assessment was made: *Provided, however,* the petitioner, in case it so elects, may dismiss the petition and vacate the judgment of confirmation, either at or after the term at which the judgment is rendered, and begin new proceedings for the same or a different improvement, as provided in section 56 as herein amended.

§ 61. Within thirty (30) days after the filing of the report of the cost of the work as provided in section eighty-four of this act, as herein amended, the clerk of the court in which such judgment is rendered shall certify the assessment roll and judgment, as amended or reduced, to the officer of such city, village or town, authorized to collect such special assessment; or, if there has been an appeal or

writ of error taken on any part of such judgment, then he shall certify such part of the judgment as is not included in such appeal or writ of error, and such certification shall be filed by the officer receiving the same in his office. With such assessment roll and judgment the clerk of such court shall also issue a warrant for the collection of such assessment. The court shall have power to recall such warrants as to all or any of the property affected at any time before payment or sale, in case the proceedings be abandoned by the petitioner or the judgment be vacated or modified in a material respect as hereinbefore provided, but not otherwise.

§ 62. Should an appeal or writ of error be taken on any part of such judgment, and the board elect to proceed with the improvement, notwithstanding such an appeal, as provided for in section seventy-five (75) of this act, the clerk shall certify such appealed portion, from time to time, in the manner above mentioned, as the judgment is rendered thereon, and the warrant accompanying such certificate in each case shall be authority for the collection of so much of such assessment as shall be included in the portion of the roll thereto attached. The warrant in all cases of assessment, under this act, shall contain a copy of such certificate of the judgment describing lots, blocks, tracts and parcels of land assessed so far as they shall be contained in the portion of the roll so certified, and the respective amount assessed on each lot, block, tract or parcel of land, and shall be delivered to the officer authorized to collect such special assessment. The collector having a warrant for any assessment levied to be paid by installments may receive any or all of the installments of such assessment, but if in part only, then in their order.

§ 65. It shall be the duty of the collector, on or before the first day of April in each year, to make a report in writing to the general officer of the county authorized or to be designated by the general revenue laws of this State to apply for judgment and sell lands for taxes due the county and State of all the lands, town lots and real property on which he shall be unable to collect special assessments, or installments thereof matured and payable, or interest thereon, or interest due to the preceding January second on installments not yet matured on all warrants in his hands, with the amount of such delinquent special assessment or installments and interest together with his warrants; or, in case of an assessment levied to be paid by installments, with a brief description of the nature of the warrant or warrants received by him authorizing the collection thereof, which report shall be accompanied with the oath of the collector that the list is a correct return and report of the land, town lots and real property on which the special assessment (or special tax levied by the authority of the city of.....or town or village of.....as the case may be), or installments thereof, or interest, remaining due and unpaid; that he is unable to collect the same, or any part thereof, and that he has given the notice required by law that such warrants have been received by him for collection.

§ 66. Report to be evidence.] Said report, when so made, shall be *prima facie* evidence that all the forms and requirements of the

law in relation to the making of said return have been complied with, and that the special assessments, or special taxes, or the matured installments thereof, and the interest thereon, and the interest accrued on installments not yet matured, mentioned in said report, are due and unpaid, and upon the application for judgment of sale upon such assessment or matured installments thereof, or the interest thereon, or the interest accrued on installments not yet matured, no defense or objection shall be made or heard which might have been interposed in the proceeding for the making of such assessment, or the application for the confirmation thereof, and no errors in the proceeding to confirm, not affecting the power of the court to entertain and consider the petition therefor, shall be deemed a defense to the application herein provided for.

When such application is made for judgment of sale on an installment only of an assessment payable by installments, all questions affecting the jurisdiction of the court to enter the judgment of confirmation and the validity of the proceedings shall be raised and determined on the first of such applications. On application for judgment of sale on any subsequent installment, no defense, except as to the legality of the pending proceeding, the amount to be paid, or actual payment, shall be made or heard. And it shall be no defense to the application for judgment on any assessment or any installment thereof that the work done under any ordinance for an improvement does not conform to the requirements of such ordinance, if it shall appear that the said work has been accepted by or under the direction of the board of local improvements. And the voluntary payment by the owner or his agent of any installment of any assessment levied on any lot, block, tract or parcel of land, shall be deemed and held in law to be an assent to the confirmation of the assessment roll, and to be held to release and waive any and all right of such owner to enter objections to the application for judgment of sale and order for sale. The judgment of sale on any installment shall include all interest accrued on said installment up to the date of said judgment of sale, and also the annual interest due as returned delinquent by the municipal collector on any installment or installments not matured; and all judgments of sale for a matured installment shall bear interest on the amount of the principal of said matured installment to the date of payment or sale.

§ 67. When such general officer shall receive the report above provided for, he shall proceed to obtain judgment against said lots and parcel of land and property for said special assessments and said special taxes, or installments thereof, and interest remaining due and unpaid, in the same manner as is or may be by law provided for obtaining judgment against lands for taxes due and unpaid the county or State; and shall in the same manner proceed to sell the same for the said special assessments, special taxes, or installments thereof, and interest remaining due and unpaid. In obtaining such judgments and making such sale, the said officer shall be governed by the general revenue law of the State, except when otherwise provided herein. No application for judgment against lands

for unpaid special taxes or special assessments shall be made at a time different from the annual application for judgment against lands upon which general taxes remain due and unpaid. The application for judgment upon delinquent special assessments or special taxes in each year shall include only such special assessments, special taxes, or installments thereof, and interest as shall have been returned as delinquent to the county collector on or before the first day of April in the year in which said application is made: *Provided*, that such judgment of sale shall include interest on matured installments up to the date of such judgment, as herein provided.

§ 73. No person or persons or bodies corporate, taking any contracts from the city, village or town, and agreeing to be paid out of special assessments or special taxes, shall have any claim or lien upon the city, village or town in any event, except from the collection of special assessments or special taxes made or to be made for the work contracted for, but the municipality shall cause collections and payments to be made with all reasonable diligence. And in such case, if it shall appear that such assessment or tax can not be levied nor collected, the municipality shall not, nevertheless, be in any way liable to such contractor or contractors in case of failure to collect the same, but shall, so far as it can legally do so, with all reasonable diligence cause a valid assessment or assessments, special tax or taxes, to be levied and collected to defray the cost of said work until all contractors shall be fully paid, and any contractor shall be entitled to summary relief of mandamus or injunction to enforce the provisions hereof.

The city treasurer shall keep a separate account with each special assessment warrant number, and with the money received thereunder.

§ 74. All contracts for the making of any public improvements, to be paid wholly or in part by special assessment or special tax, and any work or other public improvements when the expense thereof shall exceed five hundred dollars (\$500), shall be let to the lowest responsible bidder in the manner herein prescribed, such contracts to be approved by the president of the board of local improvements.

In case of any work in which it is estimated that the work will not cost more than five hundred dollars (\$500), if after receiving bids it shall appear to said board of local improvements that said work can be performed better and cheaper by the city, town or village, or the authorities thereof, the authorities of the city, town or village shall perform said work and employ the necessary help therefor, and the cost of said work by said city, town or village, or the authorities thereof, shall in no case be more than the lowest bid received.

§ 75. When Contract Shall Be Let.] Within ninety (90) days after the term of court at which judgment of confirmation of any special assessment or special tax, levied in pursuance of this act, has been entered, if there be no appeal perfected, or other stay of proceedings by a court having jurisdiction, or in case the judgment for the condemnation of any property for any such improvement, or the

judgment of confirmation as to any property be appealed from, then, if the petitioner shall file in such cause a written election to proceed with the work, notwithstanding such appeal or other stay, steps shall be taken to let the contract for such work in the manner herein provided. If the judgment of condemnation or of confirmation of the special tax or special assessment levied for such work be appealed from, or stayed by a supersedeas or other order of a court having jurisdiction, and the petitioner file no such election, then the steps herein provided for the letting of the contract for such work shall be taken within fifteen (15) days after the final determination of said appeal or writ of error, or the determination of such stay, unless the proceeding be abandoned as herein provided.

§ 76. Notice shall be given by advertisement in some newspaper, adopted for that purpose, by the board of local improvements by an order entered in their records, that bids will be received for the construction of such improvement, either as a whole or in such sections as the board shall specify in its notice, in accordance with the ordinance therefor; which notice shall state the time of opening such bids (not more than fifteen (15) nor less than ten (10) days thereafter), and shall further state where the specifications for such improvements are to be found, and whether the contractors are to be paid in cash or in bonds, and if in bonds, then the rate of interest such vouchers or bonds shall draw. If no newspaper be published in said municipality, then four such notices shall be posted, all of which shall be in the vicinity of the proposed improvement. Proposals or bids may be made either for such work as a whole or for such specified sections thereof. All proposals or bids offered shall be accompanied by cash or by a check payable to the order of the president of the board of local improvements in his official capacity, certified by a responsible bank, for an amount which shall not be less than ten (10) per centum of the aggregate of the proposal. Said proposals or bids shall be delivered to the board of local improvements, and said board shall, in open session, at the time and place fixed in said notice, examine and publicly declare the same: *Provided, however*, that no proposals nor bids shall be considered unless accompanied by such check or cash.

§ 79. Notice of such award of contract shall be published for two (2) days in a daily newspaper published and [and] circulated in said city, village or town, designated by the said board of local improvements, by general order for that purpose, duly entered in its records. Or where there is no daily newspaper in said city or village, by one (1) insertion of the same in a semi-weekly or weekly newspaper so published and circulated, and so designated: *Provided, however*, that in case there is no newspaper printed or published in such city, village or town, then four (4) notices of such award shall be posted, all of which shall be in the vicinity of the proposed improvement.

§ 81. If such original bidder fails or refuses for fifteen (15) days after the first posting or publication of the notice of award, or in case a contract be made with the owners, and default by them, then,

within ten (10) days after notice that such owners are in default, to enter into a contract, then said board of local improvements, without further proceedings, shall again advertise for proposals or bids, as in the first instance, and award the contract for said work to the then regular lowest bidder. The bids of all persons, and the election of all owners, as aforesaid, who have failed to enter into the contract as herein provided, shall be rejected in any bidding or election subsequent to the first for the same work.

§ 83. The board of local improvements in cities of one hundred thousand (100,000) inhabitants and over, according to the last census as hereinbefore provided, may appoint an attorney for the board who shall have charge, under its direction and control, of all legal matters pertaining to the board of local improvements, the confirmation of special assessments and the collection of the same. It may also appoint an engineer for the board, and such assistant attorneys, engineers, clerks, inspectors, etc., etc., as may be necessary to carry into effect the purposes of this act.

The board is hereby authorized to make, or cause to be made, the written contracts, and receive all bonds authorized by this act, and to do any other act, expressed or implied, that pertains to the execution of the work provided for by such ordinance or ordinances, and shall fix the time for the commencement of the work thereunder and for the completion of the work under all contracts entered into by it, which work shall be prosecuted with diligence thereafter to completion, and said board may extend the time so fixed from time to time as they may think best for the public good. The work to be done pursuant to such contracts must in all cases be done under the direction and to the satisfaction of the board of local improvements, and all contracts made therefor must contain a provision to that effect, and also express notice that in no case, except as otherwise provided in the ordinance, or the judgment of the court, will said board, or municipality, except as herein otherwise provided, or any officer thereof, be liable for any portion of the expenses, nor for any delinquency of persons or property assessed.

The acceptance by the said board of any improvement shall be conclusive in the proceeding to make said assessment, and in all proceedings to collect the same, or installments thereof, on all persons and property assessed therefor, that the work has been performed substantially according to the requirements of the ordinance therefor, but if any property owner be injured by any failure so to construct such improvement, or suffer any pecuniary loss thereby, he may recover the amount of such injury in an action on the case against the municipality making said improvement. *Provided, however*, that such action be commenced within one year from the date of the acceptance of the work by the board of local improvements.

§ 84. Within thirty days after the final completion and acceptance of the work, as hereinbefore provided, the board of local improvements shall cause the cost thereof to be certified, in writing, to the court in which said assessment was confirmed, together with an amount estimated by the board to be required to pay the accruing

interest on bonds or vouchers issued to anticipate collection, and thereupon, if the total amount assessed for said improvement upon the public and private property exceeds the cost of the same, all of said excess excepting the amount required to pay such interest as herein provided for, shall be abated and the judgment reduced proportionately to the public and private property owners and shall be credited *pro rata* upon the respective assessments for said improvements under direction of the court, and, in case the assessment is collectible in installments, such reduction shall be made so that all installments shall be equal in amount, except that all fractional amounts shall be added to the first installment so as to leave the remaining installments in the aggregate equal in amount and each a multiple of one hundred dollars; the intent and meaning hereof being that no property owner shall be required to pay to the collector a greater amount than his proportionate share of the cost of said work and of the interest that may accrue thereon.

§ 86. For the purpose of anticipating the collection of the second and succeeding installments provided for in this act, it shall be lawful for such city, village or town to issue bonds, payable out of said installments, bearing interest at the rate of five per centum per annum, payable annually and signed by such officers as may be by ordinance prescribed; said bonds shall be issued in sums of one hundred dollars, or some multiple thereof, and shall be dated and draw interest from the date of the issuing of the same. Each bond shall state on its face out of which installment it is payable, and shall state, by number or other designation, the assessment to which such installment belongs. The principal of such bonds shall not exceed, in the aggregate, the amount of such deferred installments, and shall be divided into as many series as there are deferred installments: *Provided*, nothing herein contained shall be construed to prevent the payment of any voucher or bond out of an installment having a surplus to its credit, other than the one against which the same is issued; the intent and meaning thereof being that in case from any cause the installment against which such bond or voucher is drawn has not sufficient money to the credit thereof to pay the same, the entire amount of the assessment or any installment thereof may be applied toward the payment of any such vouchers or bonds issued against the assessment. Each series shall become due at some time in the year in which the corresponding installment will mature, such date to conform, as nearly as may be, to the time when such installment will be actually collected, such time to be estimated and determined by the municipal officers issuing such bonds: *Provided, also*, that it shall be lawful to provide in the case of any one or more of the bonds in any series, that such bond or bonds shall not become due until some subsequent date, not later than the thirty-first day of December next

succeeding the January in which the installment against which such series is issued shall become due and payable. Such bonds may be in the following form:

STATE OF ILLINOIS, }
County of..... } ss.

\$..... Series No.....
Bond No.....
..... of.....

IMPROVEMENT BOND.

"The.....of.....in.....county, Illinois, for value received, promises to pay to the bearer on the.....day of.....A. D....the sum of.....dollars, with interest thereon from date hereof at the rate of five per centum, payable annually on presentation of the coupons hereto annexed.

"Both principal and interest of this bond are payable at the office of the treasurer of said.....of.....

"This bond is issued to anticipate the collection of a part of the.....installment of special assesment No., levied for the purpose of....., which said installment bears interest from the.....day of....., A. D., and this bond and the interest thereon are payable solely out of said installments when collected.

"Dated this.....day of....., A. D."

Which said bond may have coupons attached to represent the interest to accrue thereon.

§ 88. Payment for any improvement done or performed under the provisions of this act, to be paid for out of any special assessment or special tax levied in installments, as herein provided, may be made in the bonds herein provided for; and the first installment thereof shall be paid to the person or persons entitled thereto on the contract for said work: *Provided, however,* that in cities, towns and villages having a population of less than one hundred thousand, where the ordinance for the improvement provides for the collection of costs, such costs shall be first paid out of said first installment. If such first installment is not collected when payments fall due, vouchers therefor may be issued, payable out of the first installment when collected. Such vouchers shall bear no interest and shall be paid from said installment when collected.

§ 90. No person or persons accepting the vouchers or bonds as provided herein shall have any claim or lien upon the city, town or village in any event for the payment of such vouchers or bonds or the interest thereon, except from the collections of the assessment against which said vouchers or bonds are issued, but the municipality shall not, nevertheless, be in any way liable to the holders of said vouchers or bonds in case of failure to collect the same, but shall, with all reasonable diligence, so far as it can legally do so, cause a valid special assessment or assessments, special tax or taxes, as the

case may be, to be levied and collected, to pay said bonds and vouchers, until all bonds and vouchers shall be fully paid. Any holder of vouchers or bonds, or their assigns, shall be entitled to summary relief by way of mandamus or injunction to enforce the provisions hereof.

§ 92. The board of local improvements, before the crediting of the excess as provided for in section eighty-four, as herein amended, shall determine an estimated amount deemed as sufficient to make up any probable deficiency of interest, by which from any cause, collections of interest may prove insufficient to meet the interest to be paid on said bonds until they mature as hereinbefore provided. Said estimate shall be deducted out of said installments as an item of expense before crediting rebates of excess as herein directed and shall be used for no other purpose than to make up such deficiency until the bonds are fully paid, both principal and interest.

§ 93. If, upon final settlement with the contractor for any improvement and full payment of all vouchers or bonds, issued on account of such contract, there shall be any surplus remaining in such special assessment or special tax above the payments aforesaid, and above the amount necessary for the payment of interest on such vouchers or bonds, as above provided, it shall be the duty of the proper authorities of such city, incorporated town or village to at once cause a rebate to be declared upon each lot, block, tract or parcel of land assessed of its *pro rata* proportion of such surplus. The board of local improvements shall cause to be kept and exhibited publicly in its office, an index of all warrants upon which rebates are due and payable, and upon proper proofs, the same shall be repaid to the person entitled thereto.

§ 94. The cost and expenses of maintaining the board of local improvements herein authorized, of paying the salaries of the members of said board, and the expense of making and levying special assessments or special taxes and of letting and executing contracts; and also the entire cost and expense attending the making and return of the assessment rolls and the necessary estimates, examinations, advertisements, etc., etc., connected with the proceedings herein provided for, including the court costs, including the fees to commissioners in condemnation proceedings, which are to be taxed as above provided, shall be paid by the city, village or town out of its general fund: *Provided, however*, that in cities, towns or villages of this State having a population of less than one hundred thousand by the last preceding census of the United States, or of this State, the city, village or town, as the case may be, may in and by the ordinance providing for the assessment prescribed, provide that a certain sum, not to exceed six per centum of the amount of such assessment, shall be applied toward the payment of the aforesaid and other costs [of] making and collecting such assessment.

§ 96. Writs of error from the Supreme Court of this State may issue upon any such judgment upon the application of owners or parties interested in the property affected thereby, as shown by the

record, at any time after the disposition of the last remaining objection to the confirmation, if any, and prior to the first day of June following the entry of such judgement: *Provided*, that if the warrant for collection as to any parcel be not returned delinquent in any year before April 1st, a writ of error as to such parcel may be sued out at any time before June 1st in the year in which the same is so returned or certified: *And, provided further*, that in every case there shall be filed with the clerk of the Supreme Court, with the application for such writ, an affidavit by the plaintiff in error or his agent setting forth the time when such warrant, as to such property, was returned delinquent or so certified; and further setting forth that the person to whom such notice of the filing of assessment roll as to such property, as shown by the record, did not receive the same, or otherwise learn of the pendency of the proceedings for the confirmation of said assessment until less than ten days before the entry of default against his said property in the court below.

§ 99. All acts, and parts of acts, in conflict with this act are hereby repealed.

Provided, that the laws subsisting at the time of the taking effect of the local improvement act of June 14, 1897, shall continue to apply to all proceedings for the condemnation of lands, or the confirmation of special assessments or special taxes for local improvements, which were pending in any court in this State at the time of the taking effect of the local improvement act of June 14, 1897, and to all proceedings for the collection of any deficiency under past levies already made under any laws already existing at the time of the taking effect of the local improvement act of June 14, 1897; and also to all proceedings for new assessments made in lieu of others annulled before the act concerning local improvements of June 14, 1897, took effect, by order of some court. When any installment of an assessment confirmed under prior acts shall mature, proceedings to return the same delinquent, and to collect the same, shall conform to the provisions of this act.

Where proceedings for local improvements to be made by special tax or special assessment shall have been instituted when this act shall take effect, and where the assessment provided for therein has not been confirmed by any court, all future proceedings thereunder shall be as herein provided, with the same effect as if such proceedings had been commenced in accordance with the provisions herein provided: *Provided*, that nothing in this act shall be construed to repeal an act entitled, "An act to provide additional means for the construction of sidewalks in cities, towns and villages," approved April 15, 1875, in force July 1, 1875.

Provided, also, that nothing in this act contained shall be held or construed to be a repeal of any of the laws of the State of Illinois relating to civil service, and that nothing in this act contained shall be held or construed to be a repeal or modification of

any of the rules of the civil service commission of the city of Chicago adopted pursuant to the civil service laws of the State of Illinois.

§ 2. Emergency.] WHEREAS, A great number of improvements are being delayed on account of hardships inflicted upon property owners under the present statutes, therefore an emergency exists, and this act shall take effect from and after its passage.

APPROVED May 9, 1901.

ORGANIZATION OF CITIES AND VILLAGES.

§ 1. Amends Article XI., act of 1872, by adding 6 new sections thereto.

§ 18. Incorporation of part of village or town—petition—boundaries—election—4 square miles limit.

§ 19. Election commissioners' duties—form of ballot—intersecting precincts—canvass and returns.

§ 20. Where elections may be held—Conflicting petitions.

§ 21. When village becomes such—election of officers—old officers.

§ 23. Sections 8, 18 and 20, act 1889, to control where applicable, interest, status, properties—division, distribution, settlement.

Approved April 8, 1901.

AN ACT amending an act entitled, "*An act to provide for the incorporation of cities and villages*," approved April 10, 1872, in force July 1, 1872, and amendments thereto, by adding thereto sections to be numbered 18, 19, 20, 21, 22, and 23.

SECTION. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That Article XI of an act entitled, "*An act to provide for the incorporation of cities and villages*," approved April 10, 1872, in force July 1, 1872, and all amendments thereto, be, and the same is hereby, amended by adding thereto the following sections, numbered 18, 19, 20, 21, 22 and 23, to-wit:

§ 18. Any part of any village or incorporated town in this State, lying upon the border thereof, and having a population of not less than three hundred (300) inhabitants, may become organized as a village under this act in the manner following:

A petition shall be presented to the judge of the county court of the county wherein such village or incorporated town is located, asking that the question of organizing such a part of said village or incorporated town into a village under this act be submitted to the legal voters of the said city, village or incorporated town.

Such petition shall clearly define the boundary of the territory proposed to be organized as a village under this act, shall state the population thereof, and the name proposed for the village to be organized therefrom, and shall be signed by not less than thirty (30) of the legal voters residing within the limits of the territory proposed to be organized into a village under this act, providing that if the votes

cast by the voters residing within the limits of said territory at the last preceding election numbered more than three hundred (300), then in that case the petition shall be signed by legal voters residing within the said territory, numbering not less than one-tenth of the number of votes cast within said territory at the last preceding general or municipal election.

Thereupon said judge of the county court shall cause to be submitted to the voters of such village or incorporated town, at an election to be held therein, the question of organizing the territory described in said petition into a village under this act. Such question may be submitted at either a special election called for the purpose, or at any municipal election, or at any general election; and notice of said election shall be given by causing notice to be published in at least one newspaper in said county within which said village or incorporated town may be, at least fifteen days before said election, by the clerk of the county court: *Provided*, that no petition shall be valid for organizing a village from part of a village or incorporated town, if the territory remaining in the old village or incorporated town shall be less than four (4) square miles, or have a population of less than three hundred (300) inhabitants.

§ 19. In all cases where the territory affected by the proposed election shall be under the city election law, and shall lie within the jurisdiction of any board of election commissioners, as provided by the act entitled, "An act regulating the holding of elections and declaring the result thereof in cities, villages and incorporated towns of this State," approved June 19, 1885, in force July 1, 1885, such election and all municipal, county, state or general elections that may be held in such territory prior to the qualification of the village officials of the village proposed to be formed under this act shall be conducted by such board of election commissioners in conformity with the provisions of said act and all amendments thereto.

But where such territory is not within the jurisdiction of such board of election commissioners, the said election shall be conducted in the manner provided by law for the conducting of other municipal elections within said territory, and each qualified voter resident within such village or incorporated town shall have the right to cast a ballot at such election "for village organization under the general law" or "against village organization under the general law" of the territory proposed to be organized as a village under this act.

If the boundaries of the territory proposed to be organized into a village under this act intersect election precincts, then, in those precincts so intersected, an additional ballot box shall be provided, into which shall be deposited only the ballots of the voters residing within the limits of the territory so sought to be organized into a village under this act.

The ballots cast at such elections shall be received, canvassed and returned the same as ballots for municipal officers of such city, village or incorporated town.

§ 20. No election on the same question and including territory within the same boundaries shall be had after one election thereon, until one year shall have elapsed.

Two or more petitions, each being for wholly different territory may be acted upon, and the questions proposed in said petitions may be submitted to vote at the same time. And in determining the results of such simultaneous elections, the vote on each question submitted shall be counted and given effect the same as though it was the only question voted upon.

If two or more petitions are presented embracing in part the same territory, then the one first presented shall be submitted to vote, as above provided, and if that is carried, the other petitions shall not be submitted at all; but if the first is voted down, then the petition next presented shall be submitted, and so on, until one has been carried, or all have been voted upon.

§ 21. Where it shall appear that the majority of the voters in such village or incorporated town, as well as a majority of the voters residing within the limits of the territory proposed to be organized under this act as a village, so voting upon the question vote for said organization under this act, thereupon such territory shall become a village under this act, under the name specified in said petition, upon the election and qualification of officers, as provided in the next section.

§ 22. In all cases where the proposition for the organization of such a village under this act has been adopted, village officers shall thereupon be elected in the manner prescribed by law in case of newly organized villages, and until such officers are elected and qualified the officers of the village or incorporated town shall continue jurisdiction over said territory.

Upon the election and qualification of the officers of the new village formed under this act, the terms of all officers of the village or incorporated town held by the residents of the said new village under this act, who continue to reside in said new village, shall thereupon be terminated, and the occupants of such offices shall cease to act upon their successors being duly elected or appointed.

§ 23. Sections eight (8) to eighteen (18), both inclusive, and section twenty (20) of an act entitled, "An act to provide for the annexation of cities, incorporated towns and villages, or parts of same, to cities, incorporated towns and villages," approved and in force April 25, 1889, and all amendments thereto, shall be applicable and govern in all matters affecting the interests, status, properties, division, distribution and settlement of the matters and things mentioned in said act, so far as the provisions of said act are applicable and are not in conflict with the provisions of the foregoing sections of this act. And in the application of the provisions of the said act and of the amendments thereof, the said new village shall be

considered as a village or incorporated town to which territory is annexed, and the old village or incorporated town from which said new village is formed shall be considered as a village or incorporated town from which territory is taken.

APPROVED April 8, 1901.

POLICE AND FIREMAN'S PENSION FUND.

§ 1. Amends act of 1877.

§ 1. Fund—Provision for creation of
—Insurance fees — Dog tax —
Police fines, etc.

§ 1A. Saloon licenses.

§ 1B. How adopted — Petition — Election-Form of ballot—When in force.

Approved May 10, 1901.

AN ACT to amend section one (1) of an act entitled, "An act to amend an act for the relief of disabled members of the police and fire departments in cities and villages," approved May 24, 1877, in force July 1, 1877, approved May 10, 1879, in force July 1, 1879, as amended by act approved June 23, 1883, in force July 1, 1883.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section one (1) of an act entitled, "An act to amend an act for the relief of disabled members of the police and fire departments in cities and villages," approved May 24, 1877, in force July 1, 1877, approved May 10, 1879, in force July 1, 1879, as amended by act approved June 23, 1883, in force July 1, 1883, be amended so as to read as follows:

§ 1. That one-half of all the rates, taxes and license fees which are, or may be hereafter required by law, to be paid by corporations, companies or associations not incorporated under the laws of this State, engaged in any village or city in this State, effecting fire insurance, and one-fourth of all moneys collected as tax on dogs, where such city or village contains a population of 10,000 or more, has a regularly organized fire department by such city or village, and all moneys received from fines inflicted upon members of the police and fire departments for violation of the rules and regulations of the service, and all fines recovered for violation of the fire ordinances, and all moneys accruing from the sale of unclaimed stolen property, and two per centum of all moneys received from licenses for the keeping of saloons or dram shops, shall be set apart by the treasurer of the city or village, to whom the same shall be paid, as a fund for the relief of disabled members of the police and fire departments of such city or village.

§ 1A. In any city of over 10,000 inhabitants where it shall be authorized by a majority vote of the electors of such municipality, two per centum of all moneys received from licenses for the keeping of saloons or dram shops shall be also set apart in like manner for the fund above mentioned in this act.

§ 1B. The electors of any city may adopt the provision of section 1A of this act in the following manner: Whenever 20 per cent of the

legal voters of such incorporated city shall petition the city clerk, or the officer or officers whose duty it is to prepare the ballots, to submit the proposition as to whether such city shall adopt the provisions of section 1A of this act, then it shall be the duty of such officer or officers to submit such proposition accordingly at the next succeeding regular city election, and if such proposition is not adopted at such election the same may, in like manner, be submitted at any regular city election thereafter. The proposition so to be voted for shall be prepared and provided for that purpose in the same manner as other ballots, and shall be substantially in the following form:

For the adoption of the provisions of an act setting apart two per centum of moneys received by the city from the licensing of saloons or dram shops for a pension fund for disabled members of the police and fire department.	Yes.
	No.

If a majority [of the members] of the number of the votes cast in said city at the last general election shall be voted for such proposition, then section 1A of this act shall be declared adopted and in force in such city.

APPROVED May 10, 1901.

POLICE PENSION FUND.

§ 1. Amends Sec. 3, Act of 1899.

Approved May 11, 1901.

§ 3. Eligibility to pension—term of service
—age—unmarried widows—orphans
—repeal.

AN ACT to amend Section 3 of an act entitled, "An act to provide for the setting apart, formation and disbursement of a police pension fund in cities, villages and incorporated towns," approved April 29, 1887, in force July 1, 1887, as amended by act approved April 24, 1899, in force July 1, 1899.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That Section 3 of an act entitled, "An act to provide for the setting apart, formation and disbursement of a police pension fund in cities, villages and incorporated towns," approved April 29, 1887, in force July 1, 1887, as amended by act approved April 24, 1899, in force July 1, 1899, be, and the same is hereby, amended to read as follows, viz:

§ 3. Whenever any person, at the time of taking effect of said act to which this is an amendment, or thereafter, shall be duly appointed and sworn, and have served for the period of twenty years or more upon the regularly constituted police force of said city, village or town of this State, subject to the provisions of this act, or where the combined years of service of any person in the fire department and upon the police force, as aforesaid, of said city, village or

town of this State shall aggregate twenty years or more, said board shall order and direct that such person after becoming fifty years of age, and his service upon such police force shall have ceased, and all officers entitled to and having been pensioned under said act to which this is an amendment, after the taking effect of this act, shall be paid from such a fund a yearly pension equal to one-half the amount of the salary attached to the rank which he may have held on said police force for one year next preceding the expiration of said term of twenty years. And after the decease of such member, his widow, or minor child or children under sixteen years of age, if any, surviving him, shall be entitled to the pension provided for in this act of such a deceased husband or father, but nothing in this or any other section in this act shall warrant the payment of any annuity to any widow of a deceased member of such police department after she shall have remarried.

That all acts or parts of acts in conflict with the provisions of this act are hereby repealed.

APPROVED May 11, 1901.

CORPORATIONS.

ANNUAL REPORT TO THE SECRETARY OF STATE.

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| § 1. Corporations to file postoffice address of business office. | § 5. Fee for publication. |
| § 2. Corporations to report annually to Secretary of State—Report to be signed and sworn to—Fee for filing—Cancellation of charter for failure to report. | § 6. Secretary of State to furnish certified copies of reports to recorders of deeds. |
| § 3. Secretary of State to mail blank reports and copy of section 3 of this act—Publication of notice. | § 7. Reinstatement of corporations. |
| § 4. Papers publishing notice to furnish copies. | § 8. Expense of publication—How paid. |
| | § 9. Repeal. |
| | Approved May 10, 1901. |

AN ACT requiring corporations to make annual report to the Secretary of State, and providing for the cancellation of articles of incorporation for failure to do so, and to repeal a certain act therein named.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That every corporation hereafter organized under the laws of this State shall, before receiving a certificate of complete organization, file with the Secretary of State a statement setting forth the postoffice address of its business office, giving street and number.

§ 2. Every incorporated company, other than railroad, banking, building and loan and insurance companies, existing by virtue of any general or special law of this State, or hereafter organized by

virtue of any law of this State, shall annually, between the first day of February and the first day of March, report to the Secretary of State the location of its principal office in this State, with town, street and number; the name of its officers, with their residence, stating the town, street and number, with the date of the expiration of their respective terms of office; whether or not the corporation is pursuing an active business under its charter and the kind of business engaged in, if any, which said report shall be made under the seal of the corporation and shall be signed and sworn to by the president, secretary or other officer of the corporation, and in case said corporation is in the hands of an assignee or receiver, then such report shall be signed and sworn to by such assignee or receiver, which said report, together with a fee of one dollar for filing the same, shall be sent to the Secretary of State, in whose office it shall be filed. The Secretary of State shall in no case receive or file said report until said fee is paid, and a failure to make said report and pay said fee shall be *prima facie* evidence that said corporation is out of business, and shall work a forfeiture of the charter of such corporation. And it is hereby made the duty of the Secretary of State to enter upon the records of his office, as soon as practicable after default in making such report, the cancellation of the charters of all corporations failing to make said report at the time and in the manner herein provided.

§ 3. The Secretary of State is hereby required, on or before the fifteenth day of January of each year, to mail to every corporation proper blanks to be used in making the report hereinbefore provided for, also a copy of section three [two] of this act, together with a notice that a failure on the part of said corporation to make such report within the time prescribed by law shall be taken as *prima facie* evidence that such corporation is out of business, and that upon such failure its articles of incorporation will be cancelled upon the records of the office of the Secretary of State: *Provided*, that where a corporation is located in a city of fifty thousand inhabitants or upwards, and the records in the office of the Secretary of State do not disclose in its address the location by street and number of such corporation, it shall be the duty of the Secretary of State, in lieu of mailing the notice, copy of law and blank herein provided, to publish, on or before the fifteenth of January of each year, in some newspaper of general circulation, printed and published in the county in which said city is located, a copy of section three [two] of this act, together with a list of all corporations in said city to which this act applies, except those to which notices are required to be mailed as provided for in this section: *Provided, further*, that where the records in the office of the Secretary of State fail to show in what town or county any corporation is located, then the above notice may be given in any newspaper of general circulation published in this State, and that such notice shall not be published more than once as to any one corporation.

§ 4. The publishers of the newspapers printing the notices provided for in this act shall, immediately after such publication, trans-

mit by mail to the Secretary of State, Auditor of Public Accounts, State Treasurer and recorder of deeds of the county in which said paper is published, a copy of the paper containing said notice and list with a certificate by the publisher, verified by oath, that said notice and list appeared in every copy of the issue of that date and that it was distributed to all patrons of said paper in the regular way.

§ 5. The fee for publication is hereby fixed at five cents per line of the width of a newspaper column for the publication of said copy of law and notice, and five cents for each corporation named.

§ 6. The Secretary of State is hereby required, on or before the first day of July, 1902, or as soon thereafter as practicable, to file with the recorder of deeds of each county in this State a certified list of all corporations which have made the report hereinbefore provided for, with the names and addresses of their president and secretary, or of their principal officers or manager, together with the location by city, street and number of their principal business office in this State, which list shall be filed in the offices of said recorders for public reference; and, annually thereafter, on or before the first day of July, the Secretary of State shall file a similar list of all additional corporations which have made such report, and also a list of all corporations previously certified which have since been cancelled for non-compliance with said law.

§ 7. *It is further provided*, that any corporation which is pursuing an active business under its charter, failing to make said report at the time provided by law may, at any time, within one year from such default, be reinstated upon the records in the office of the Secretary of State upon the payment of a fee in the sum of twenty dollars for such reinstatement and filing in said office an affidavit stating all the facts required in section three [two] of this act, and in addition thereto, the fact that it was at the time of such default, and still is, engaged in active business under its charter.

§ 8. The expenses of the publication hereinbefore provided for shall be paid from the appropriation for printing, upon bills properly certified by the Commissioners of State Contracts, and the Auditor of Public Accounts is hereby authorized and directed to draw his warrant upon the State Treasurer for the amount so certified, and the Treasurer shall pay the same out of the money appropriated for printing.

§ 9. That an act entitled, "An act requiring corporations to make annual report to the Secretary of State, and providing for the cancellation of articles of incorporation for failure to do so," approved April 21, 1899, in force July 1, 1899, be, and the same is hereby, repealed.

APPROVED May 10, 1901.

CORPORATIONS NOT FOR PROFIT UNDER SPECIAL CHARTERS.

§ 1. Power to create boards of directors, trustees, etc.—certificate of election or appointment—filing of certificate.

§ 2. Change of name, place, object, etc.—increase or decrease of board—rights preserved.

§ 3. Emergency.

Approved April 24, 1901.

AN ACT *in relation to corporations organized under special charters, not for pecuniary profit.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That all corporations, associations and societies, organized under or created by any special act of the Legislature, not for pecuniary profit, are hereby vested with power to create boards of trustees, directors or managers, and to elect or appoint members thereof, either from their own membership or otherwise, in such manner, at such times and for such periods as may be provided by the by-laws of such corporations, associations or societies, and said boards of trustees, directors or managers shall have such powers and perform such duties as may be prescribed by the by-laws of such corporation, association or society: *Provided*, that whenever any such trustees, directors or managers shall be elected or appointed, a certificate under the seal of the corporation, association or society, giving the names of such trustees, directors or managers so appointed or elected, and the term of their office, shall be filed for record in the office of the recorder of deeds in the county or counties where the business of said corporation may be carried on by such board of trustees, directors or managers.

§ 2. That hereafter, whenever any corporation, not for pecuniary profit, existing by virtue of any special law of this State, shall desire to avail itself of the right to change its name, to change its place of business, to enlarge or change the object for which it was formed, or to increase or decrease the number of its directors, managers or trustees, as now authorized, or as may hereafter be authorized, by general law, such change shall not operate as a waiver, release or forfeiture of any of the powers, rights or privileges of such corporation granted to or secured by it under and by virtue of such special act, and all acts or parts of acts in conflict herewith are hereby repealed.

§ 3. WHEREAS, An emergency exists, therefore, this act shall take effect and be in force from and after its passage.

APPROVED April 24, 1901.

GUARANTEERING TITLES TO REAL ESTATE.

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| § 1. Title guarantee companies authorized.
§ 2. Deposit, exchange, registration and sale of securities.
§ 3. Certificate of authority, issuance, revocation.
§ 4. Filing and examination of abstracts—Expense of appraisal.
§ 5. Impairment of capital—Duty of Auditor. | § 6. Surrender of securities.
§ 7. Examinations by Auditor.
§ 8. Statements, how made — when — contents of.
§ 9. Fees.
§ 10. Penalties.
§ 11. Repeal. |
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Approved May 11, 1901.

AN ACT to provide for and regulate the business of guaranteeing titles to real estate by corporations.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That any corporation which has been or shall be incorporated under the general corporation laws of this State, being an act entitled, "An act concerning corporations," and all amendments thereto, for the purpose, in whole or in part, guaranteeing or insuring titles to real estate, may transact such business during the time for which it may be incorporated.

§ 2. Every such company, within ninety days after the taking effect of this act, or within ninety days after its [in-]corporation, shall deposit with the Auditor of Public Accounts, for the benefit of the creditors of said company who may become such by reason of any title guarantee policy or title insurance issued by it, the sum of twenty-five thousand dollars, in bonds of the United States, or of this State, or of any body politic of this State, or in notes secured by first mortgages or trust deeds which are first liens on improved and productive real estate in this State worth at least twice the amount loaned thereon. The bonds and securities so deposited may be exchanged from time to time for other securities receivable as aforesaid. Any such bonds shall be registered in the name of said Auditor officially, and all notes secured by such mortgages or trust deeds shall be endorsed to him officially. None of such securities shall be sold or transferred by the said Auditor, except on order of a court of competent jurisdiction, or as hereinafter provided in section 6. So long as the company so depositing such securities shall remain solvent, such company shall be permitted to receive from said Auditor the interest on said deposit: *Provided*, that any such corporation doing business in a county having a population of three hundred thousand or more persons shall deposit with said Auditor of Public Accounts the sum of fifty thousand dollars in securities as aforesaid. When the required deposit has been made by a corporation, the Auditor of Public Accounts shall issue his certificate that it has complied with the provisions of this act, and is authorized to transact the business of insuring and guaranteeing titles to real estate.

§ 3. After the expiration of ninety days from the taking effect of this act, it shall not be lawful for any company which has already been incorporated to engage in the business of guaranteeing or in-

sureing titles without first procuring from the Auditor of Public Accounts a certificate of authority stating that such company has complied with the requirements of this act in respect of such deposit. And if any company shall at any time fail to keep a good and sufficient deposit as required by this act, the Auditor of Public Accounts may revoke the certificate of authority granted on behalf of such corporation, and mail a copy of such revocation to said corporation, and during the time of such revocation said company shall not conduct such business. Such revocation shall not be set aside until a good and sufficient deposit shall have been made with said Auditor, fulfilling all the requirements of this act.

§ 4. When any part of such deposit consists of notes secured by mortgages or trust deeds, it shall be accompanied by full abstracts of title, and the titles to the real estate described therein shall be examined and approved by and under the direction of the Auditor. The fee for an examination of title by counsel, to be paid by the company making the deposit, shall not exceed twenty dollars for each mortgage, and the fee for each appraisal not exceeding two, besides expenses, shall be five dollars for each mortgage or trust deed. Where the real estate constituting the security under such mortgage or trust deed is under the "Act concerning land titles," approved May 1, 1897, the Auditor shall accept in lieu of such abstracts of title a duly certified copy of the certificate of title of the registrar of titles in and for the county in which the real estate is situated.

§ 5. Whenever the capital of any corporation authorized to do business under this act shall, by the judicial determination of any court of general jurisdiction, made upon the application of the Auditor, be determined to have become impaired to the extent of twenty-five per cent (25 per cent) of the same, or to have otherwise become unsafe, it shall be the duty of the Auditor of the State to cancel the authority of such corporation to do business; and the Auditor shall give notice to such corporation to discontinue issuing new policies until such capital stock has been made good. Any officer or agent who issues a new policy or title insurance on behalf of such company after such notice, and until such capital stock has been made good, shall, for each offense, forfeit a sum not exceeding one thousand (1,000) dollars.

§ 6. If such company shall at any time cause all of its unexpired policies issued after the taking effect of this act to be paid, cancelled or reinsured, and all of its liabilities under such policies thereby to be extinguished, or to be assumed by some surety or other responsible company authorized to do business in this State, the Auditor shall, on application of such company, verified by the oath of its president or secretary, and on being satisfied by an examination of its books and its officers, under oath, that all of its policies are so paid, cancelled, extinguished or reinsured, deliver up to it such security.

§ 7. The Auditor of Public Accounts shall have the power and authority, and it shall be his duty, to visit and examine annually any

corporation doing business under this act, and to compel a compliance with the provisions of law governing it as he may by law exercise in relation to trust companies.

§ 8. Such companies shall file with the Auditor of Public Accounts during the month of January of each year a statement under oath of the condition of such company on the thirty-first day of December next preceding, which statement shall show the assets and liabilities of the company, and shall also show the earnings and expenses of the company. The said report shall be in such form and shall contain such additional statements and information as to the affairs, business and conditions of the corporation as the said Auditor may from time to time prescribe or require.

§ 9. There shall be paid by every corporation to whom this act shall apply the following fees: For filing the original application for a certificate of authority under this act and receiving the deposit required hereunder, the sum of thirty dollars; for the certificate of authority, two dollars, for every copy of a paper filed in the Auditor's office under this act, the sum of twenty-five cents per folio; for affixing the seal of said office to said copy and certifying the same, one dollar; for filing annual statement, ten dollars.

§ 10. Any violation of any of the provisions of this act shall subject the party violating the same to a penalty of one thousand dollars for each offense.

§ 11. All laws and parts of law in conflict with the provisions of this act are hereby repealed.

APPROVED May 13, 1901.

COURTS.

CIRCUIT AND SUPERIOR—COOK COUNTY.

§ 1. Increases number of Circuit and Superior Court Judges—election of—terms of office of circuit judges—terms of office of superior court judges.	Approved May 10, 1901.
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AN ACT to provide for additional judges of the circuit and superior courts of the county of Cook.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That, as it appears by a canvass of this State, commonly known as the federal census, taken in the year A. D. 1900, pursuant to law, that the number of inhabitants of the county of Cook is over one million eight hundred thousand (1,800,000), and that thereby said county is entitled to additional judges by section 23 of article 6 of the constitution of this State; therefore, the number of judges of the circuit court of Cook county,

be, and hereby is, increased from fourteen (14), its present number, to seventeen (17), and the number of judges of the superior court of Cook county, be, and hereby is, increased from twelve (12), its present number, to fifteen (15).

Election of Judges.] On the Tuesday after the first Monday in November, A. D. 1902, there shall be elected three judges of the circuit court of said county of Cook, and three judges of the superior court of said county of Cook.

Terms of Additional Judges of the Circuit Court.] The terms of office of the said additional judges of the said circuit court shall expire on the first Monday of June, A. D. 1903, upon the election and qualification of their successors in office, and upon said first Monday of June, A. D. 1903, and every six years thereafter, there shall be elected, at the same time and in the manner as the other judges of the circuit court, three judges of said circuit court, successors in office of the judges by this act authorized to be elected.

Terms of Additional Judges of the Superior Court.] The terms of office of the said additional judges of the said superior court shall expire on Tuesday after the first Monday in November, A. D. 1904, upon the election and qualification of their successors in office, and upon the said Tuesday after the first Monday in November, A. D. 1904, and every six years thereafter, there shall be elected, at the same time and in the same manner as the other judges of the superior court, three judges of said superior court, successors in office of the judges by this act authorized to be elected.

APPROVED May 10, 1901.

CIRCUIT COURTS—TERMS, 1ST CIRCUIT.

§ 1. Amends section 2, acts of 1879 and 1897.

Approved May 11, 1901.

§ 2. Fixes time for holding court in first circuit.

AN ACT to amend Section two (2) of an act entitled, "An act to amend an act concerning circuit courts and to fix the time for holding the same in the several counties in the judicial circuits of the State of Illinois, exclusive of the county of Cook," approved May 24, 1879, in force July 1, 1879, approved June 11, 1897, in force July 1, 1897.

SECTION. 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That section two (2) of an act entitled, "An act to amend an act concerning circuit courts and to fix the time for holding the same in the several counties in the judicial circuits of Illinois, exclusive of the county of Cook," as amended and approved June 11, 1897, and in force July 1, 1897, be, and the same is hereby, amended so as to read as follows:

§ 2. First Circuit.] In the county of Union, on the third Monday of March, the third Monday of June, and the second Monday of

November; in the county of Jackson, the second Monday of January, the second Monday of April and the second Monday of September; in the county of Williamson, the first Monday of February, the first Monday of May and the fourth Monday of September; in the county of Saline, the first Monday of April, the second Monday of September and the first Monday of December; in the county of Alexander, on the second Monday of February, the second Monday of May, the second Monday of July and the second Monday of October; in the county of Pulaski, on the second Monday of January, the fourth Monday of April and the fourth Monday of October; in the county of Pope, on the third Monday of January, the first Monday of May and the second Monday of October: *Provided*, that no grand or petit jury shall be summoned to appear for the said January term except by special order of the judge holding said court; in the county of Massac, on the fourth Monday in August, the second Monday in January and the second Monday in April: *Provided*, that no grand or petit jury shall be summoned for the April term except by order of the court; in the county of Johnson, the fourth Monday of March, the third Monday of August and the second Monday of November: *Provided*, that no grand jury shall be summoned to attend at said December term of court in Saline county, and that no grand jury shall be summoned to attend the said May term in Alexander county, and that no grand or petit jury shall be summoned to attend the said June term in Union county, except by special order of the judge holding such term of court.

APPROVED May 11, 1901.

CIRCUIT COURTS—TERMS 3D CIRCUIT.

§ 1. Amends section 4, paragraph 78, acts of 1879 and 1897.

Approved May 10, 1901.

§ 4. Fixes terms of circuit court in third circuit and gives two additional terms to Madison county.

AN ACT to amend section four (4) of an act entitled, "*An act concerning circuit courts and to fix the time for holding the same in the several counties in the judicial circuits of the State of Illinois, exclusive of the county of Cook*," approved May 24, 1879, in force July 1, 1879, approved May 11, 1897, in force July 1, 1897, by providing two additional terms of the circuit court in the county of Madison.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section four (4), paragraph 78, be amended to read as follows: Third circuit—In the county of Randolph, on the first Mondays of March and September; in the county of Monroe, on the third Mondays thereafter; in the county of St. Clair, on the second Monday of January, second Monday of April and the second Monday of September; in the county of

Madison, on the second Monday of January and the third Monday of March, on the fourth Monday of May and the third Monday of October; in the county of Bond, on the third Monday of March and the third Monday of September; in the county of Washington, on the second Monday in April and the second Monday in October; in the county of Perry, on the first Mondays in May and November.

APPROVED May 10, 1901.

CIRCUIT COURTS—TERMS 8TH CIRCUIT.

§ 1. Amends section 9, acts of 1879 and 1897. | Approved May 11, 1901.

§ 9. Terms fixed in Eighth circuit.

AN ACT to amend Section nine (9) of an act entitled, "An act concerning circuit courts and to fix the time of holding the same in the several counties in the judicial circuits in the State of Illinois, exclusive of the county of Cook," approved May 24, 1879, and in force July 1, 1879, as amended June 11, 1897, in force July 1, 1897.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section nine (9) of an act entitled, "An act concerning circuit courts and to fix the time of holding the same in the several counties in the judicial circuits of the State of Illinois, exclusive of the county of Cook," approved May 24, 1879, in force July 1, 1879, as amended June 11, 1897, in force July 1, 1897, be amended so as to read as follows:

§ 9. Eighth Circuit.] In the county of Adams, on the third Monday in January, fourth Monday in March, and on the third Monday of May, and on the third Monday of June, and third Monday of September, and on the fourth Monday of October; in the county of Schuyler on the fourth Tuesday in April, first Monday in June, third Tuesday in October and the first Monday in January: *Provided*, that the June and January terms shall be devoted exclusively to the trial of chancery causes and to the trial or transaction of any business in civil, chancery and criminal cases not requiring a jury, and no jury, grand or petit, shall be summoned for said June and January terms; in the county of Mason, on the second Monday in February, on the first Mondays of August and November; in the county of Cass, on the first Monday of April, second Monday of January and first Monday of October; said January term in said county of Cass to be devoted to the trial of chancery causes and such other business as may be transacted without the intervention of a petit jury; in the county of Brown, on the fourth Monday of February, and the third Monday of September; in the county of Pike, on the second Monday of April, third Monday of June and the second Monday of November: *Provided*, that the June term shall be devoted exclusively to the trial of chancery causes and to the trial or transaction of any business in civil and criminal cases not requiring a jury, and no jury, grand or

petit, shall be summoned for said June term; in the county of Calhoun, on the second Mondays of April and October; in the county of Menard, on the first Monday in March and third Mondays of July and October.

APPROVED May 11, 1901.

CIRCUIT COURTS—TERMS 10TH CIRCUIT.

<p>§ 1. Amends section 11, acts of 1879 and 1897. § 11. Gives Stark county one additional term.</p>	<p>Approved May 11, 1901.</p>
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AN ACT to amend Section 11 of an act entitled, "An act to amend an act concerning circuit courts, and to fix the time for holding the same in the several counties in the judicial circuits of the State of Illinois, exclusive of Cook," approved May 24, 1879, in force July 1, 1879, as amended June 11, 1897, in force July 1, 1897.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 11 of an act entitled, "An act concerning circuit courts, and to fix the time of holding the same in the several counties of the judicial circuits of the State of Illinois, exclusive of the county of Cook," approved May 24, 1879, in force July 1, 1879, as amended June 11, 1897, in force July 1, 1897, be amended so as to read as follows:

§ 2 [11]. Tenth Circuit—In the county of Peoria, on the second Mondays in January, March, May, September and November; in the county of Marshall, on the second Mondays of January, May and September of each year; in the county of Putnam, on the first Monday of March and fourth Monday of October; in the county of Stark, on the second Monday of March, the first Monday of June and the second Monday of September of each year; in the county of Tazewell, on the first Mondays of May and February, and second Mondays of September and November: *Provided*, that no grand or petit jury shall be summoned for the June term of Stark county, unless ordered by the judge assigned to hold such term of court.

APPROVED May 11, 1901.

COUNTY COURTS—LAWRENCE COUNTY.

<p>§ 1. Amends section 59, act of 1874. § 59. Fixes lawl terms in Lawrence county.</p>	<p>Approved May 11, 1901.</p>
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AN ACT to amend Section 59 of an act entitled, "An act to extend the jurisdiction of county courts, and to provide for the practice thereof, to fix the time of holding the same, and to repeal an act therein named," approved March 26, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That section 59 of an act en-

titled, "An act to extend the jurisdiction of county courts, and to provide for the practice thereof, to fix the time for holding the same, and to repeal an act therein named," approved March 26, 1874, in force July 1, 1874, be, and the same is hereby, amended so as to read as follows:

§ 59. Law Terms.] In the county of Lawrence, on the second Monday of June, November and March of each year.

APPROVED May 11, 1901.

COUNTY COURTS—MARION COUNTY.

§ 1. Amends act of 1874.

Approved May 11, 1901.

§ 69. Terms in Marion county.

AN ACT to amend section sixty-nine (69) of an act entitled, "An act to extend the jurisdiction of county courts, and to provide for the practice thereof, to fix the time for holding the same, and to repeal an act therein named," approved March 26, 1874, in force July 1, 1874, by changing the time of holding the law terms of the county court in Marion county.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That section sixty-nine (69) of an act entitled, "An act to extend the jurisdiction of county courts, and to provide for the practice thereof, to fix the time for holding the same, and to repeal an act therein named," approved March 26, 1874, in force July 1, 1874, be, and the same is hereby, amended so as to read as follows:

§ 69. The law terms of the county court of Marion county shall commence on the second Monday in the months of March and November.

APPROVED May 11, 1901.

COUNTY COURTS—WILL COUNTY.

§ 1. Amends Section 106, acts of 1874 and 1887.

Approved May 10, 1901.

§ 106. Terms in Will county.

AN ACT to amend Section 106 of "An act to extend the jurisdiction of county courts and to provide for the practice thereof, to fix the time for holding the same, and to repeal an act therein named," approved March 26, 1874, in force July 1, 1874, as amended April 15, 1887, in force July 1, 1887, be, and the same is hereby, amended to read as follows:

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That section 106 of "An act to extend the jurisdiction of county courts, and to provide for the practice thereof, to fix the time for holding the same, and to repeal

an act therein named," approved March 26, 1874, in force July 1, 1874, as amended April 15, 1887, in force July 1, 1887, be, and the same is hereby, amended to read as follows:

§ 106. Will, in October, February and June.

APPROVED May 10, 1901.

COURTS OF RECORD IN CITIES.

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| § 1. Style of court—Jurisdiction. | § 13. Recognizances—City prison—Sheriff to be keeper—Costs. |
| § 2. Seal. | § 14. Venue. |
| § 3. Place of holding. | § 15. Writs, orders, judgments, etc.—Lien after transcript filed in circuit clerk's office. |
| § 4. Stationery, etc., to be furnished by city. | § 16. Transcript book. |
| § 5. Election and qualification of judges—Term—Powers—Vacancies—How filled. | § 17. Transcript fees. |
| § 6. Judges may interchange. | § 18. Appeal—Writs of error. |
| § 7. Clerks—Election and qualification—Term—Fees—Vacancies—How filled. | § 19. Fees of jurors—How paid. |
| § 8. Duties of sheriff—State's attorney. | § 20. Present courts continued. |
| § 9. Master in chancery—Appointment, term, etc. | § 21. Courts—How established and abolished. |
| § 10. Terms of court—Regular—Special. | § 22. Election of judge and clerk. |
| § 11. Adjournments. | § 23. Judges—Salary—Classification. |
| § 12. Appeals from justices and police magistrates. | § 24. Repeal. |

Approved May 10, 1901.

AN ACT in relation to courts of record in cities.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* Style of Court—Jurisdiction.] The several courts of record now existing in and for cities, and such as may hereafter be established in and for any city in this State, shall severally be styled "The city court of (name of city)," and shall have concurrent jurisdiction with the circuit courts within the city in which the same may be in all civil cases and in all criminal cases arising in said city, and in appeals from justices of the peace in said city; and the course of procedure and practice in such courts shall be the same as in the circuit courts, so far as may be.

§ 2. Seal.] Such courts shall have a seal, and may, from time to time, as may be necessary, renew the same; the expense of such seal, and renewing the same, shall be paid by the city in which such court is or may be established.

§ 3. Place of Holding.] Such court shall be held at such place in said city as may be provided by the corporate authorities thereof; but if such place shall become unfit, or if no place shall be provided by such authorities, the court may, by an order to be entered of record, adjourn to or convene at a suitable place for the holding of a

court within said city, and at such place may hold said court until a suitable place therefor be furnished by such corporate authorities, the expense whereof shall be borne by said city.

§ 4. Stationery.] All blanks, books, papers, stationery and furniture necessary to the keeping of a record of the proceedings of such court, and the transaction of the business thereof, shall be furnished the officers of such court by the corporate authorities at the expense of the city.

§ 5. Election and Qualification of Judges—Powers—Vacancy.] The judges of such courts respectively shall be elected by the qualified voters of such city in the same manner that the city officers of such city are elected, but not at the same time, and shall hold their offices for the term of four years and until their successors are elected and qualified. They shall qualify and be commissioned in the same manner, be vested with the same powers and perform the same duties as circuit judges, and have the right to appoint a court reporter on the same terms as the circuit court, and shall be styled "judge of the city court of (name of city)." Vacancies in such office shall be filled for the unexpired term at a special election to be called and held by the same authority and in the same manner that other city elections may be held, where such unexpired term exceeds one year; but where the same does not exceed one year, such vacancy shall be filled by appointment by the Governor.

§ 6. Exchange, Etc.] Such judges may, with like privileges as the judges of circuit and county courts, interchange with each other, and with the judges of circuit, superior, county and probate courts, and may hold court for each other, and for judges of circuit, superior, county and probate courts, and perform each others' duties, and the duties of judges of circuit, superior, county and probate courts, when they find it necessary or convenient.

§ 7. Clerks.] There shall be elected, in like manner as judges are elected, for each of such courts, a clerk, who shall hold his office for a term of four years and until his successor shall be elected and qualified. He shall be commissioned, have the same powers, perform the same duties, be subject to the same liabilities, and be entitled to like fees as are now, or may hereafter, from time to time, be provided by law in regard to circuit clerks, in the county in which said city may be situated. Vacancies in such offices shall be filled, for the unexpired term, at a special election to be called and held by the same authority and in the same manner that other city elections may be held, where such unexpired term exceeds one year; but where the same does not exceed one year, such vacancy shall be filled by appointment by the judge of the court: *Provided*, that a clerk, *pro tempore*, may be appointed by the judge thereof when necessary.

§ 8. Duties of Sheriff—State's Attorney.] The sheriff and State's attorney of the county in which such city may be situated shall each perform the same duties in said court, and in respect thereto, and the process thereof, and have the same power, be subject to the same liabilities and penalties, and be entitled to the same fees as in the circuit court of such county; and the sheriff shall appoint one or more

deputies for such court, for the convenience of the business therein, who shall reside in the city where such court is established, and the judge of such court shall have power to appoint a State's attorney, *pro tempore*, in any of the cases where the circuit court or the judge thereof may appoint.

§ 9. Master in Chancery.] A master in chancery for such court shall be appointed by the judge thereof, who shall hold his office for the same time, and qualify in the same manner, be subject to the same liabilities, have the same powers, perform the same duties, and be entitled to the same fees and compensation with respect to said court and matters therein as other masters in chancery.

§ 10. Terms of Court.] There shall be two or more regular terms of court in each year, to be held at such times as may be fixed by an order of the court from time to time, and entered of record, which order shall be published in some newspaper published in the city at least forty days before holding the first term of court under the same; and said order shall not be changed subsequently, except by an order of court entered of record at the term preceding said change, and published in like manner. Special terms may be called and held in the same manner and with like effect as special terms of the circuit court, and subject to the same limitations: *Provided*, that in the city of Chicago, should such a court be established therein, there shall be held a term of such court every month in the year, commencing upon the first Monday of each month, and no order of court or publication shall be necessary in order to hold such terms.

§ 11. Adjournments, Etc.] The same rules in regard to the adjournment of such courts upon the non-attendance of a judge thereof, as are, or may be provided by law in regard to circuit courts, shall apply to such courts; and the said city courts, and the judges thereof, shall have the same power, with respect to adjournments, as the circuit courts and the judges thereof, now, or hereafter may, have by law, and the adjournments of a term in such courts shall have the like effect of an adjournment in the circuit courts.

§ 12. Appeals shall be taken in the first instance from the judgment of the justices of the peace or police magistrates in the city to the city court. Writs of certiorari may issue to remove cause from before such officers to the city court, there to be heard and determined in like manner as in the circuit court.

§ 13. Recognizance—City Prison—Sheriff to be the Keeper—Costs.] All recognizances taken by any justice of the peace, police magistrate or other officer of the city, in criminal cases, when the offense is committed in the city, shall be made returnable to the city court of such city; and in all such cases the defendant may be confined in a city prison if the same be provided for that purpose by such city. The sheriff of the county shall be the keeper, and have the custody of such prisoners; and the cost of feeding and keeping such prisoners shall be paid out of the county treasury on the certificate of the sheriff, verified by his affidavit: *Provided*, that in cities of over one hundred thousand (100,000) population recognizances may be returnable to any criminal court in said city.

§ 14. Venue.] Change of venue from city courts, for the same causes and in the same manner, may be taken as from circuit courts, and the cases sent to the circuit court of the county, or to some other convenient court of record, where the cause complained of does not exist: *Provided*, where the cause is the prejudice of the judge, another city, circuit or county judge may be substituted by the consent of the parties; and if they can not agree, then by the judge of such court.

§ 15. Writs—Orders—Judgments, Etc.—A Lien After Transcript Filed in Circuit Court.] The writs and process of such city courts shall be issued and executed in the same manner, and shall have the same force and effect, as the writs and process of circuit courts. Orders, judgments and decrees of city courts shall have the same force, be of the same effect, and shall be executed and enforced in the same manner as judgments, orders and decrees of circuit courts; such judgments and decrees shall be a lien upon the real estate in such city from the time of their rendition; and in the county, wherein such city court is situate, after a certified transcript of the same shall have been filed in the office of the clerk of the circuit court of the said county, which transcript shall contain the names of the parties of the suit, the kind of action, the amount of the judgment, or the general nature or effect of the decree, as the case may be, and the terms and time at which the suit was disposed of.

§ 16. Transcript Book.] The clerk of the circuit court of the county shall provide and keep in his office, for each city court in his county, a well bound book, or books, for entering therein an alphabetical docket of all judgments and decrees rendered in said city courts, as is now required by law for docketing judgments and decrees rendered in the circuit court; and shall, forthwith, after the filing of any such transcript, enter the same therein, together with the hour, day, month and year of the filing of such transcript and the general number thereof.

§ 17. Transcript Fees.] In addition to the fees now allowed by law, the clerk of the said city courts shall be allowed to charge and receive a fee of fifty cents for each certified transcript, as aforesaid, and the clerk of the circuit court shall be allowed to charge and receive a fee of fifty cents for filing and entering the same.

§ 18. Appeals—Error.] Appeals may be taken and writs of error prosecuted from city courts to the appellate and supreme courts the same as in like cases from circuit courts.

§ 19. Fees of Jurors—How Paid.] The fees of the grand and petit jurors for such courts, including the fees for summoning the same, shall be paid out of the county treasury of the county wherein such court is established upon the certificate of the clerk of such court.

§ 20. Courts Continued.] The several courts of record now established, in and for cities, are hereby continued, under the name and style of "The city court of (name of city)," with all the power and jurisdiction conferred by this act.

§ 21. Courts—How Established and Abolished.] A city court, consisting of one or more judges, not exceeding five, and not exceeding one judge for every fifty thousand inhabitants, may be organized and established under this act in any city which contains at least three thousand inhabitants, whenever the common or city council shall adopt an ordinance or a resolution to submit the question whether such court shall be established consisting of one or more judges, not exceeding five, as may be specified in such ordinance or resolution, to the qualified voters of such city, and two-thirds of the votes cast at such election shall be in favor of the establishment of such court. Where such court is established with more than one judge, each judge may hold a separate branch thereof at the same time, and when holding such separate branch, each judge may exercise all the powers vested in such court. Such elections shall be held and conducted, the returns thereof made and canvassed, and the result declared in the same manner as other city elections. To discontinue and disestablish any such court, precisely the same mode of procedure shall be requisite and necessary, and be resorted to as for the organization of such court; save that the discontinuance and disestablishment shall not take effect until at the expiration of the term of office of the then judge of said court. In the event of the discontinuance and disestablishment of any such court, the clerk thereof shall transfer and deliver to the clerk of the circuit court of the county in which such city court is situated all records, judgment and processes in possession of himself or any other officer of said court, and the circuit court shall thereupon acquire and be vested with jurisdiction in the matters to which said records, judgments or process relate, and may be dealt with as original records of such circuit court: *Provided*, it shall be lawful for the city council in any city where a city court has been established under this act, and there is no judge or clerk of such court residing within such city, and such court has ceased to do business for two years or more, to pass an ordinance or resolution abolishing such court, and authorize the city clerk of such city to transfer and deliver the records, judgments and process of such court to the circuit court of the county in which such court is situated, in like manner and with like effect as if such had been transferred by the clerk of such city court.

§ 22. Election of Judge and Clerk.] Whenever the establishment of a city court shall be authorized as provided in the foregoing section, it shall be the duty of the corporate authorities to order an election for judge and clerk; and when the judge and clerk shall be duly elected, qualified and commissioned, such court shall be deemed organized and established according to law.

§ 23. The judges of said court shall be allowed and receive as an annual salary in lieu of all other fees, perquisites or benefits whatsoever in cities having a population not exceeding five thousand (5,000) inhabitants, the sum of five hundred dollars (\$500), to be paid out of the city treasury; and in cities having more than five thousand and less than eight thousand inhabitants, the sum of fifteen hundred dollars (\$1,500); and in cities having more than eight thousand

(8,000) inhabitants and less than twenty-five thousand (25,000) inhabitants, the sum of two thousand dollars (\$2,000); and in cities having more than twenty-five thousand (25,000) inhabitants, the sum of three thousand dollars (\$3,000), to be paid out of the city treasury.

§ 24. All acts or portions thereof in conflict herewith are hereby repealed.

APPROVED May 10, 1901.

JUVENILE COURTS.

§ 1. Amends sections 1, 7, 9, 10 and 13, act of 1899.

§ 1. Applies to children under 16 years of age not inmates of a State institution—definitions.

§ 7. Disposition of dependent or neglected children.

§ 9. Disposition of delinquent children.

§ 10. Provides for transfer of cases from justices and police magistrates to juvenile court—hearing.

§ 13. State Commission of Public Charities to supervise associations—annual reports to commissioners—contents. Courts may order reports.

§ 2. Provides for new section:

§ 22. Parents, when able, to contribute towards support.

Approved May 11, 1901.

AN ACT act to amend sections one (1), seven (7), nine (9), ten (10) and thirteen (13) of an act entitled, "An act to regulate the treatment and control of dependent, neglected and delinquent children," approved April 21, 1899, and to add a new section to said act to be known as section twenty-two (22).

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections one (1), seven (7), nine (9), ten (10) and thirteen (13) of an act entitled, "An act to regulate the treatment and control of dependent, neglected and delinquent children," approved April 21, 1889, [1899], be amended to read as follows:

§ 1. Definition.] This act shall apply only to children under the age of sixteen (16) years, not now or hereafter inmates of a State institution, or any training school for boys or industrial school for girls, or some institution incorporated under the laws of this State, except as provided in sections twelve (12) and eighteen (18). For the purpose of this act the words "dependent child" and "neglected child" shall mean any child who for any reason is destitute or homeless or abandoned; or dependent upon the public for support; or has not proper parental care or guardianship; or who habitually begs or receives alms; or who is found living in any house of ill fame or with any vicious or disreputable persons, or whose home, by reason of neglect, cruelty or depravity on the part of its parents, guardian or other person in whose care it may be, is an unfit place for such a

child; and any child under the age of ten (10) years who is found begging, peddling or selling any article, or singing or playing any musical instrument upon the street, or giving any public entertainment, or who accompanies or is used in aid of any person so doing. The words "delinquent child" shall include any child under the age of sixteen (16) years who violates any law of this State or any city or village ordinance; or who is incorrigible; or who knowingly associates with thieves, vicious or immoral persons; or who is growing up in idleness or crime; or who knowingly frequents a house of ill fame; or or who knowingly patronizes any policy shop or place where any gaming device is or shall be operated. The word "child" or "children" may mean one or more children, and the word "parent" or "parents" may be held to mean one or both parents, when consistent with the intent of this act. The word "association" shall include any corporation which includes in its purposes the care or disposition of children coming within the meaning of this act.

§ 7. Dependent and Neglected Children.] When any child under the age of sixteen (16) years shall be found to be dependent or neglected, within the meaning of this act, the court may make an order committing the child to the care of some suitable State institution, or to the care of some reputable citizen of good moral character, or to the care of some training school or an industrial school, as provided by law, or to the care of some association willing to receive it, embracing in its objects the purpose of caring or obtaining homes for dependent or neglected children, which association shall have been accredited as hereinafter provided. The court may, when the health or condition of the child shall require it, cause the child to be placed in a public hospital or institution for treatment or special care, or in a private hospital or institution which will receive it for like purpose without charge.

§ 9. Disposition of Delinquent Children.] In the case of a delinquent child the court may continue the hearing from time to time, and may commit the child to the care or custody of a probation officer, and may allow said child to remain in its own home, subject to the visitation of the probation officer; such child to report to the probation officer as often as may be required, and subject to be returned to the court for further or other proceedings whenever such action may appear to be necessary; or the court may cause the child to be placed in a suitable family home, subject to the friendly supervision of a probation officer and the further order of the court; or it may authorize the child to be boarded out in some suitable family home, in case provision is made by voluntary contribution or otherwise for the payment of the board of such child, until a suitable provision may be made for the child in a home without such payment; or the court may commit the child, if a boy, to a training school for boys, or, if a girl, to an industrial school for girls, or the court may commit the child to any institution within the county, incorporated under the laws in this State that may care for delinquent children, or be provided by a city or county suitable for the care of such children, or to any State institution which may be established for the care of delinquent boys; or if a girl over the age of ten (10)

years to the State Home for Juvenile Female Offenders. In no case shall a child be committed beyond his or her minority. A child committed to such institution shall be subject to the control of the board of managers thereof, and the said board shall have power to parole such child on such conditions as it may prescribe; and the court shall, on the recommendation of the board, have power to discharge such child from custody whenever, in the judgment of the court, his or her reformation is complete; or the court may commit the child to the care and custody of some association that will receive it, embracing in its objects the care of neglected or dependent children, and that has been duly accredited as hereinafter provided.

§ 10. Transfer from Justices and Police Magistrates.] When in any county where a court is held, as provided in section three (3) of this act, a child under the age of sixteen (16) years is arrested with or without warrant, such child may, instead of being taken before a justice of the peace, or police magistrate, be taken directly before such court; or, if the child is taken before a justice of the peace, or police magistrate, it shall be the duty of such justice of the peace, or police magistrate, to transfer the case to such court, and the officer having the child in charge to take the child before that court, and in any case the court may proceed to hear and dispose of the case in the same manner as if the child had been brought before the court upon petition, as herein provided. In any case the court shall require notice to be given and investigation to be made as in other cases under this act, and may adjourn the hearing from time to time for the purpose.

§ 13. Supervision of State Commissioners of Public Charities.] All associations receiving children under this act shall be subject to the same visitation, inspection and supervision by the Board of State Commissioners of Public Charities as are the public charitable institutions of this State, and it shall be the duty of the said board of commissioners to pass annually upon the fitness of every such association as may receive, or desire to receive, children under the supervision of this act, and every such association shall annually, at such time as said board shall direct, make report thereto, showing its condition, management and competency to adequately care for such children as are, or may be, committed to it, and such other facts as said board may require, and upon said board being satisfied that such association is competent and has adequate facilities to care for such children, it shall issue to the same a certificate to that effect, which certificate shall continue in force for one (1) year, unless sooner revoked by said board, and no child shall be committed to any such association which shall not have received such a certificate within fifteen (15) months next preceding the commitment. The court may, at any time, require from any association receiving, or desiring to receive, children under the provisions of this act, such reports, information and statements as the judge shall deem proper or necessary for his action, and the court shall in no case be required to commit a child to any association whose standing, conduct or care

of children, or ability to care for the same, is not satisfactory to the court.

§ 2. There shall be added to said act a new section, to be known as section twenty-two (22), which shall read as follows:

§ 22. In any case in which the court shall find a child neglected, dependent or delinquent, it may, in the same or a subsequent proceeding, upon the parents of said child, or either of them, being duly summoned or voluntarily appearing, proceed to inquire into the ability of such parent or parents to support the child or contribute to its support, and if the court shall find such parent or parents able to support the child or contribute thereto, the court may enter such order or decree as shall be according to equity in the premises, and may enforce the same by execution, or in any way in which a court of equity may enforce its orders or decrees.

APPROVED May 11, 1901.

CRIMINAL CODE.

EXTORTION BY THREATS.

§ 1. Adds new section designated as 93a.

Approved May 9, 1901.

§ 93a. Penalty for threats.

AN ACT to amend an act entitled, "An act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874, by adding an additional section thereto relating to extortion by threats.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an act entitled, "An act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, and in force July 1, 1874, be, and the same is hereby, amended by adding an additional section thereto, to be designated as section 93a of said act, to read as follows:

Section 93a. Whoever, either verbally or by written or printed communication, maliciously and wilfully threatens to kidnap, wound, maim, kill or murder another person, or any one related by blood, marriage or adoption to such other person; or to burn, injure or destroy any building or other property belonging to another person, with intent thereby to extort any money, goods, chattels, or other valuable thing, shall be imprisoned in the penitentiary not less than one nor more than twenty years.

APPROVED May 9, 1901.

HAZING.

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| § 1. Hazing declared a misdemeanor—penalty.
§ 2. Term defined. | Approved May 10, 1901. |
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AN ACT defining hazing, making the same a misdemeanor, and fixing the punishment thereof.

SECTION 1. *Be it enacted by the people of the State of Illinois, represented in the General Assembly:* That whoever shall engage in the practice of hazing in this State, whereby any one sustains an injury to his person therefrom, shall be guilty of a misdemeanor and upon conviction shall be fined in any sum not exceeding five hundred dollars, or imprisonment in the county jail not exceeding six months, or both, in the discretion of the court.

§ 2. The term "hazing" in this act shall be construed to mean any pastime or amusement, engaged in by students or other people in schools, academies, colleges, universities, or other educational institutions of this State, or by people connected with any of the public institutions of this State, whereby such pastime or amusement is had for the purpose of holding up any student, scholar or individual to ridicule for the pastime of others.

APPROVED May 10, 1901.

KIDNAPPING FOR RANSOM.

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| § 1. Provides for death penalty or life imprisonment—Where tried. | § 2. Emergency.
Approved May 11, 1901. |
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AN ACT to prevent and punish kidnapping for ransom.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That every person who shall wilfully, unlawfully and forcibly seize and secretly confine within this State, or take, carry or send, or cause to be taken, carried or sent, out of this State, any person against his will or against the will of the parent, guardian or legal custodian of such person, for the purpose of extorting ransom or money or other valuable thing or concession from such person, his parent, guardian or legal custodian; and every person who shall inveigle, decoy or kidnap with intent secretly to confine within this State, or take, carry or send, or cause to be taken, carried or sent, out of same, any person against his will or against the will of the parent, guardian or legal custodian of such person, for the purpose of extorting ransom or money or other valuable thing or concession from such person, his parent, guardian or legal custodian, shall, upon conviction, suffer death, or be punished by imprisonment in the penitentiary for life or any term not less than five (5) years.

Any person charged with such offense may be tried in any county into which, or through which, the person so seized or inveigled, decoyed or kidnaped shall have been taken, carried or brought.

§ 2. WHEREAS, An emergency exists, therefore this act shall take effect from and after its passage. -

APPROVED May 11, 1901.

PAROLE SYSTEM.

§ 1. Amends section 1, act of 1899, by adding crime of rape to exceptions.

Approved May 10, 1901.

AN ACT to amend section one of an act entitled, "An act to revise the law in relation to the sentence and commitment of persons convicted of crime, and providing for a sytem of parole, and to provide compensation for the officers of said system of parole," approved April 21, 1899, in force July 1, 1899.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section one of an act entitled, "An act to revise the law in relation to the sentence and commitment of persons convicted of crime, and providing for a system of parole, and to provide compensation for the officers of said system of parole," approved April 21, 1899, in force July 1, 1899, be amended so as to read as follows:

That every male person over twenty-one years of age, and every female person over eighteen years of age, who shall be convicted of a felony or other crime punishable by imprisonment in the penitentiary, except treason, murder, rape and kidnaping, shall be sentenced to the penitentiary, and the court imposing such sentence shall not fix the limit or duration of the same, but the term of such imprisonment shall not be less than one year, nor shall it exceed the maximum term provided by law for the crime of which the prisoner was convicted, making allowance for good time, as now provided by law.

APPROVED May 10, 1901.

PERSONATING OFFICERS OR MEMBERS OF LODGES, ETC.

§ 1. Persons prohibited from personating officers or members of lodges or societies.

§ 3. Penalty for violation.

Approved May 11, 1901.

§ 2. Persons prohibited from wearing insignia or badge of lodges or societies—Provisions.

AN ACT to prohibit personating officers or members of any grand or subordinate lodge or fraternal society chartered or having grand or subordinate lodges in this State, and to prohibit wearing or using the insignia or badges of any such lodges or societies by other than the members thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That it shall be unlawful for

any person to falsely personate any officer or member of any grand or subordinate lodge or fraternal society chartered or having grand or subordinate lodges in this State.

§ 2. It shall be unlawful for any person to wear any insignia or badge of any lodge or fraternal society chartered or having grand or subordinate lodges in this State, or to use the same to obtain aid or assistance, personal or social recognition thereby, from any person, unless he shall be entitled to use or wear the same under the constitution, by-laws, rules and regulations of such lodge, lodges, society or societies: *Provided*, that section two (2) of this act shall not prohibit the wearing of the badge or insignia of any lodge or society by the mother, sister, wife or daughter of any member of such lodge or society entitled under this act to wear such badge or insignia.

§ 3. Any person convicted of a violation of any of the provisions of either of the foregoing sections one (1) and two (2) of this act shall be deemed guilty of a misdemeanor, and, upon conviction, shall be fined in any sum not less than twenty (20) dollars and not more than two hundred (200) dollars.

APPROVED May 11, 1901.

DRAINAGE.

AGRICULTURAL AND SANITARY DRAINAGE.

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| <p>§ 1. Amends sections 24, 25, 29, 41, 43, 61, 62, 63, 64 and 65, and repeals section 27, acts of 1885, 1889 and 1891.</p> <p>§ 24. Commissioners to decide objections — Appeal — Appeal bond.</p> <p>§ 25. Appeals in county courts—Hearing—Decision—Costs—Special jury—Verdict filed with court records—Appeals in circuit court—Decision final.</p> <p>§ 29. Taxes paid in installments—Interest.</p> <p>§ 41. Care of drains—Outlets—Condemnation suits for—Tax levy—Owners of lands below district to pay for benefits received—Commissioners may sue for—Collection of.</p> <p>§ 43. Sub-districts—Formation of—Division of—Districts—Classification of—Election of commissioners—Control of districts and sub-districts.</p> | <p>§ 61. Appeals—Decision of courts final—Findings to be part of court records and entered in drainage records—Basis for levy of assessments.</p> <p>§ 62. Special assessments — How made—Proceedings when district is in more than one county.</p> <p>§ 63. Provides for additional tax levies—Taxes payable in installments—Interest on.</p> <p>§ 64. Commissioners may fund indebtedness—New bonds.</p> <p>§ 65. Extension of payments of special assessment by petition—Bond issue—Filing petition—Bonds not sold below par.</p> <p>§ 2. Repeal.</p> |
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Approved May 10, 1901.

AN ACT to amend sections twenty-four (24), twenty-five (25), twenty-nine (29), forty-one (41), forty-three (43), sixty-one (61), sixty-two (62), sixty-three (63), sixty-four (64), sixty-five (65), and to repeal section twenty-seven (27) of an act entitled, "An act to provide for drainage for agricultural and sanitary purposes, and to repeal certain acts therein named," approved June 27, 1885, in force July 1, 1885, as amended June 11, 1891, in force June 11, 1891, as amended June 21, 1895, in force July 1, 1895, and as amended June 3, 1889, in force July 1, 1889.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections twenty-four (24), twenty-five (25), twenty-nine (29), forty-one (41), forty-three (43), sixty-one (61), sixty-two (62), sixty-three (63), sixty-four (64) and sixty-five (65), and to repeal section twenty-seven (27) of an act entitled, "An act to provide for drainage for agricultural and sanitary purposes, and to repeal certain acts therein named," approved June 27, 1885, in force July 1, 1885, as amended June 11, 1891, in force June 11, 1891, as amended June 21, 1895, in force July 1, 1895, and as amended June 3, 1889, in force July 1, 1889, be, and the same is hereby, amended to read as follows:

§ 24. At the time of meeting for review the commissioners shall hear whatever objections may be urged by any person interested, and if satisfied that any injustice has been done in the classification of the several tracts of land, or any of them, they shall correct the same in accordance with what is right, but if not so satisfied, they shall leave the classification as first made, and enter an order to that effect. Any person appearing and urging objections who is not satisfied with the decision of the commissioners, may appeal from their decision to the county court of the county in which the lands affected are situated, within ten days after the decision of the commissioners was rendered, by filing with the county clerk a bond with security conditioned to pay such tax as may finally be levied upon the land in question, and the costs occasioned by the appeal in case the commissioners shall be sustained by the court of appeal.

§ 25. Appeals taken to the county court under the provisions of this act may be heard at any term thereof: *Provided*, that ten days has intervened from the time of taking the appeal and the first day of the term, and if not ten days, then such appeal shall be heard at the next term of said court as herein provided, and the costs of such appeal may, at the discretion of the court, be divided between the drainage district and the owner of the land who may appeal from the classification of the commissioners. It shall be the duty of the county court to cause to be summoned twelve (12) land owners living outside of the drainage district, and who are not interested in any lands or work in said district, or of kin to any of the parties interested, to meet at the court house at a time set by the court for hearing any appeal or appeals that may be taken from the decision of the commissioners. The said twelve (12) land owners shall be men who have practical knowledge of the costs and benefits of farm drainage, and shall be sworn in as a special jury to try the case on appeal. Should any of

said land owners fail to appear at the time named, or should any of those summoned be rejected under the exercise of the usual right of challenge, the court may cause to be summoned any other qualified land owner or owners, as required by this section, to fill such vacancy or vacancies, or the case may be tried by six (6) qualified jurors, if both parties to the suit so agree. Whenever the special jury summoned to hear appeals shall have been sworn in as herein provided, it shall be the duty of the court to lay before them the classification as determined by the drainage commissioners, and they shall examine the same, and hear allegations and testimony in opposition to and in support of the same, and may, if requested by either party to the appeal, visit the district and view the lands. If they find the tracts of land in question are marked too high or too low in the classification, they shall correct the errors; but if no injustice has been done, they shall confirm the classification as made by the commissioners. Their final determination shall be made in writing and filed with the records of the court. The classification, when established as herein provided, shall also be recorded with other papers on the drainage record: *Provided*, that if either party to such appeal shall be dissatisfied with the decision rendered by the special jury as above provided, the county judge may hear reasons for or against a further appeal to the circuit court of said county on the classification of the lands in question, and may, at his discretion, grant or refuse such appeal. If further appeal be not prayed for or [be] refused by the county judge, then the decision rendered by the special jury in the county court shall be conclusive and final. If appeal to the circuit [court] be granted the classification as fixed in such court shall be final: *Provided, further*, that in all cases in which appeal is taken to the circuit court bond shall be given as in appeal to the county court, and the costs of such appeal shall be paid by the owner or owners of the land or lands so appealing, in case the classification as fixed by the county court shall be sustained. The circuit judge shall cause to be sworn in twelve (12) jurors, qualified as required in appeals to the county court, and the appeal shall be tried in the same manner as in the county court, as nearly as may be, and the decision of such jury shall be conclusive and final, and no further appeal shall be granted. The classification, as determined and fixed in the circuit court, shall be entered in the drainage record of the district in which the land or lands are situated, and thereafter shall be the basis upon which assessments for benefits shall be made.

§ 29. It shall be competent for the commissioners to order the tax to be paid in installments of such amounts and at such times as will be convenient for the accomplishment of the proposed work; otherwise the whole amount of such tax shall be payable thirty days after such confirmation, and shall be a lien upon the lands assessed until paid; and such taxes shall draw interest at the rate of six (6) per cent per annum from the time they shall become payable until they are paid, and such interest may be collected and enforced as part of the taxes.

§ 41. After the completion of the work the commissioners shall thereafter keep the same in repair, and if they find by reason of error in locating or constructing the ditches, or any of them, or from any other causes the lands of the district are not drained or protected as contemplated, or some of them receive partial or no benefit, they shall use the corporate funds of the district to carry out the original purpose, to the end that all the lands, so far as practicable, shall receive their proper and equal benefits as contemplated when the lands were classified. If it be necessary to clear and enlarge any natural or artificial channels lying beyond the boundaries of the district to obtain a proper outlet, the commissioners shall use the corporate funds for this purpose, and if the necessary privileges can not be obtained for this by agreement with the land owners or the commissioners, if the land or lands through which such outlet must be made are within another organized district, the commissioners may acquire the same by condemnation under the act for exercising the right of eminent domain: *Provided*, in all such cases, if sufficient funds are not on hand, the commissioners shall make a new tax levy: *Provided further*, that the commissioner of any drainage district organized under the laws of this State who, to secure a proper outlet, have enlarged or improved, or may hereafter enlarge or improve, any natural or artificial channel lying beyond the boundaries of the district, as provided for in this section, upon lands owned by private individuals or which may be, or hereafter become, a part of another organized district, and who, by such work have or may hereafter benefit the whole or a part of such lands, whether the privilege to so enlarge or improve was or may be obtained by agreement with the owners of the lands or the commissioners, if such lands are a part of another organized district, or acquired by condemnation under the act for the exercise of the right of eminent domain, the commissioners of the district above who have or may hereafter enlarge or improve such natural or artificial channel beyond the boundaries of their district, may collect from said land owner or owners or other drainage district or districts, as the case may be, such an amount as may be considered a fair compensation for the benefits received by the lands lying below the district which has or may hereafter extend its work beyond its boundaries to secure a proper outlet as herein provided. The amount representing such benefits may be fixed by agreement between the commissioner of the upper district and the owners of lands lying below the upper district, or the commissioner of the lower district if the lands are so organized: *Provided*, that if such agreement can not be made as will be satisfactory to the parties interested, the commissioners of the upper district shall be empowered to bring suit in the name of the people of the district against the owners of the lands lying below, or the commissioners of the lower district if such lands are organized as a drainage district, in the circuit court of the county in which such drainage district is organized, to recover such an amount as will represent the benefits received by the said lower lands or organized district. And if said commissioners are successful in such suit the court shall enter a judg-

ment against the owner or owners of the lands or the commissioners of such other drainage district or districts, as the case may be, and the amount of such judgment shall be collected by due process of law, and shall be a lien upon the lands or drainage district against which the judgment has been rendered until paid: *And, provided further*, that where such lands are within another organized district the commissioners of the district against whom, as commissioners, a judgment may be rendered for benefits accruing to lands within the lower district, shall proceed to classify the lands within such district and shall raise by special assessment the amount of such judgment, which shall be levied upon the lands of said district, and when collected be turned over to the treasurer of the upper district.

§ 43. Sub-districts may be formed by owners of land in main districts for the purpose of local or more minute drainage, in the manner provided in this act for the organization of main districts. Such sub-districts shall have the right to use the ditches of the main district for outlets or in drainage districts organized or proposed to be organized which have one or more lateral drains or proposed drains which are independent of each other, except as to the main drain or outlet, and which do now or will drain separate areas within said district, it shall be and may be lawful for the commissioners, at their option, to divide the district into as many sub-districts as there are separate areas, for the purpose of making assessments of benefits for the work to be done in said sub-district. *Provided*, the formation of sub-districts on either method as above provided shall not operate to release the lands in such sub-district from the payment of any assessment or levy made prior to such division, nor from any assessment or tax levy which may thereafter be made for the completion, maintenance or repair of the main work, or for the payment of the principal and interest on any indebtedness incurred by the main district, nor shall it give such sub-district any claim on the funds of the main district for its local use: *Provided, further*, that when sub-districts are organized under this act, which have one or more lateral drains or proposed drains, which are independent of each other, except as to the main sub-district ditch or outlet, and which do now or will drain separate areas within said sub-district, it shall be the duty of the commissioners, as provided for in this section, to divide such sub-districts into as many minor sub-districts as there are separate areas within such sub-districts to be drained, for the purpose of making assessments of benefits for the local or minute drainage to be done in such minor sub-districts. The commissioners in charge of or in control of sub-districts shall, on making such minor sub-districts, proceed to classify the lands therein and make assessments as in sub-districts and in main districts, and the funds arising therefrom shall be kept as a separate fund, to be used in such minor sub-district, from which it was collected in payment for the local or minute drainage within such minor sub-division: *And, provided further*, that the formation of such minor sub-districts as herein provided for shall not operate to release the lands in such minor sub-district from the payment of any assessment or levy made prior to

such division, nor from any assessment or tax levy which thereafter may be made, for the completion, maintenance or repair of the main outlets or ditches in sub-districts or in main-districts, or for the payment of the principal and interest of any indebtedness incurred by the sub-district or main-district, nor shall it give such minor sub-district any claim upon the funds of the sub-district or the main-district for its local use. Drainage districts, as organized under this act, shall be known as the first, second or third class. Main districts shall belong to the first class. Sub-districts which have for their outlets the main district ditches or drains shall belong to the second-class, and minor sub-districts, as provided for in this act, which have their outlets into the main sub-district ditches or drains, shall belong to the third class. Sub-districts, or drainage districts, of the second class, which contain not less than five (5) sections of land, [shall,] upon the filing of a petition signed by a majority of the land owners of said sub-district with the county clerk, in favor of the election of a board of commissioners for said sub-district, shall proceed at the next succeeding annual election of drainage commissioners to elect such a drainage board. The notices of the election of such sub-district commissioners, the time of holding and making returns of the same, and the term of office, shall be the same as provided in this act for the election of commissioners in original or main-districts, and the compensation of such commissioners shall be the same as is provided for main-district commissioners. It shall be the duty of the main-district commissioners to control all matters pertaining to main-district drainage and such sub-districts of the second class as may be of too small area to be entitled to sub-district commissioners, and such sub-districts as may not file a petition for the election of sub-district commissioners. Sub-district commissioners, as provided for in this act, shall have charge of and control over all matters pertaining to drainage within their respective sub-districts, or districts of the the second (2d) class, and of drainage within their respective minor sub-districts, or districts of the third (3d) class, as provided for in this act, except such work as belongs exclusively to the main-district and classification and assessments made, within such sub-districts and such minor sub-districts on account of the main work.

§ 61. When an appeal is taken under the preceding section, it shall be taken to the county and circuit courts of the county in which the land is situated, as provided in sections 24 and 25 of this act, and the decision rendered by the special jury in the last court of appeals shall be conclusive. The classification shall be made in writing and be made a part of the court record, and shall also be entered on the drainage journal, and shall be the basis for the levy of assessments for the purpose of drainage in the class of districts [to which] such lands may belong.

§ 62. As soon as the classification has been corrected and confirmed by the commissioners or court of appeal, as provided in the preceding section, it shall be competent for the commissioners to order such an amount of money to be raised by special assessment upon the lands of the districts which are benefited as may be neces-

sary, according to the best judgment of the commissioners, which amount shall be certified and returned by the commissioners to the clerk of said court, who shall record the same in the drainage record. The certificate may be substantially as follows:

"We hereby certify that we require the sum of.....
dollars, to be levied as a special assessment or tax, for drainage pur-
pose, on the lands and property benefited in the.....
.....special drainage district, in the county (or counties)
of.....and State of Illinois.

"Given under our hands this.....day of....., 19..

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.....

"Commissioners."

Which certificate shall be signed by the commissioners in their corporate name. It shall thereupon be the duty of said clerk to compute and apportion the amount thus levied among the several tracts in the name of the owners when known, according to the acreage of each, and its figure of classification on the graduated scale, so that each tract may bear its burden in proportion to benefits. The commissioners shall make out a tax list, which shall conform as near as the facts will admit, to the list provided for in section 26 of this act, which list shall be signed by the commissioners and filed with the clerk among the records of the drainage district.

Provided, however, where the lands of said district lie in two or more counties the clerk of the court in which the proceedings are had shall forthwith, after the filing thereof, send a copy of such list to circuit court clerk or recorder, as the case may be, of the other county or counties in which lands assessed may lie, showing the land assessed in such county or counties, and it shall be the duty of such circuit court clerk or recorder to file such list in a record in his office and properly note or index the fact of such levy to each quarter section of land assessed. The fees for such certification, recording and indexing shall be the usual fees for like service and shall be taxed as cost in such proceeding, and when paid shall be distributed to the officers entitled to the same as part of the fees of their respective offices.

§ 63. If at any time the commissioners shall find that the amount of such assessment or tax levied will be inadequate to complete the proposed work, they shall make such additional levy or levies as may be necessary to complete the proposed work, which additional levy or levies shall be made on the original classification, as herein provided for the first assessment or tax levy and computed and extended by the clerk in the same manner. Upon any levy being made as herein provided, it shall be competent for the commissioners to order the tax to be paid in installments of such amounts and at such times as will be convenient for the accomplishment of the proposed work; otherwise the whole amount of such tax shall be payable thirty (30) days after such confirmation, and shall be a lien upon the lands assessed until paid; and such taxes shall draw interest at the rate of

six (6) per cent per annum from the time they shall become payable until they are paid, and such interest may be collected and enforced as part of the taxes: *Provided, however*, if in the the judgment of the commissioners the payment of such tax, or any installment or installments thereof, for the speedy completion of the proposed work, would be too heavy a burden upon the owners and persons interested to pay in time to be used for said work, the commissioners may, at any time after the levy has been made, postpone the payment of such tax, or any one or more installment or installments, or any part thereof, to such time or times as they think proper and advisable, but not longer than fifteen (15) years from the time of the levy thereof. For the construction of the proposed work, or for the continuation and completion of the same, where it has been commenced, the commissioners may borrow money not exceeding in amount ninety (90) per cent of any assessment or levy unpaid at the time of borrowing, and may secure the payment of the same by notes or bonds of said district, bearing interest not to exceed six (6) per cent per annum. The interest may be made payable annually or semi-annually, which notes or bonds may be made due and payable at the same or different times, but shall not run beyond one year after the last assessment or levy on account of which the money is borrowed falls due, which notes or bonds shall not be held to make the commissioners personally liable for the money borrowed, but shall constitute a lien upon the assessment or assessments, levy or levies, on account of which they are issued, for the repayment of the principal and interest thereon. On the correction and confirmation of said assessment, or levy, it shall be the duty of the clerk of said court to record the same, together with all orders of the commissioners, in the drainage record, and he shall make a certified copy of such tax list, the order of the commissioners showing how or when the assessment or tax for benefits is payable, and deliver the same to the treasurer of said district, who shall proceed to collect the taxes or installments as they come due.

§ 64. In any case or cases where the drainage commissioners of any special drainage district heretofore organized, or that may hereafter be organized under the laws of this State, have, or may, for the purpose of constructing or completing the work to such district, issued notes or bonds on any assessment or assessments, installment or installments, the payment of which at maturity would, in the judgment of the commissioners, be an unreasonable burden on the owners of lands assessed, said commissioners shall have the right and power to fund such notes and bonds, as the case may be, or any part thereof, and issue new notes or bonds to the amount of the unpaid assessment or assessments, installment or installments, upon which such notes or bonds thus outstanding were issued, which new notes or bonds may bear interest not to exceed six (6) per cent per annum. Said commissioners may extend the time for the payment of any such assessment or assessments, installment or installments, as the case may be, by an order signed by them, and filed with the clerk thereof, to be by him recorded in the drainage record, and a

certified copy thereof to be delivered by said clerk to the treasurer of said district, which order shall operate to suspend the time for collecting until the time fixed in said order of the assessment or assessments, installment or installments, named in said order. Such new notes or bonds shall not run to exceed one year beyond the time fixed for the payment of the assessment or assessments, installment or installments, upon which the same is, or are, issued. And the old notes or bonds shall be taken up and cancelled by said commissioners immediately upon issuing the new notes or bonds, on the same assessment or installment, or any part thereof. The payment of interest on all notes or bonds shall be provided for, collected and paid, as herein provided, for the payment of interest in other cases.

§ 65. Whenever a petition, signed by a majority in number of the adult owners of lands assessed for benefits in any special drainage district, hereto or hereafter organized under the laws of this State, and who own, in the aggregate, at least one-third ($\frac{1}{3}$) of such land, shall be presented to the drainage commissioners of such district, representing that any assessment or tax has been made against the lands assessed for benefits, for the purpose of constructing the work therein, and that the same has been confirmed and is unpaid in whole or in part, and that it would promote the interest of the land owners in such district, to extend the time of the payment thereof, or any part of the same, stating what part, and the time or times to which they desire such extension made, but not to exceed ten (10) years from the time the assessment or levy was confirmed, and asking that such extension be made and that bonds of the district be issued, not exceeding in amount the amount of the assessments, levy, or part thereof thus sought to be extended, it shall be the duty of the commissioners of such districts to enter an order extending the time of the payment thereof, as asked for in said petition, and thereupon it shall be competent for said commissioners to issue the bonds of said district to the amount thus extended, which bonds shall bear interest not to exceed six (6) per cent per annum, payable annually, or semi-annually, and shall be a lien on the assessment, levy, or part thereof, thus extended, and shall not run longer than one (1) year beyond the time the same becomes due by such extension. The petition and order of the commissioners shall be filed and recorded in the drainage record, and shall operate to stay the collection of the assessment, levy or part thereof thus extended, to the time fixed by said commissioners, and shall be sufficient authority for the issuing of such bonds by the commissioners of such district. No bonds issued under the provisions of this act shall be sold for less than the par value.

§ 2. Section 27 of the act of which this is an amendment is hereby repealed.

APPROVED May 10, 1901.

AGRICULTURAL AND SANITARY DRAINAGE—SPECIAL ASSESSMENTS.

§ 1. Amends section 62 of paragraph 170, act of 1885. | Approved May 10, 1901.

§ 62. Special assessments—proceedings.

AN ACT to amend an act entitled, "An act to provide for drainage for agricultural and sanitary purposes, and to repeal certain acts therein named," approved June 27, 1885, in force July 1, 1885.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 62 of paragraph 170 of said act be amended to read as follows:

§ 170. Special Assessments in Special Districts—Proceedings as in sections 26 and 27.] § 62. As soon as the classification has been corrected and confirmed by the commissioners, or board of appeal, as provided in the preceding section, it shall be competent for the commissioners to order such amount of money to be raised by special assessment upon the lands of the district which are benefited as may be necessary according to the best judgment of the commissioners, which amount shall be certified and returned by the commissioners to the clerk of said court, who shall record the same in the drainage record. The certificate may be substantially as follows:

We hereby certify that we require the sum of.....dollars to be levied as a special assessment or tax for drainage purposes on the lands and property benefited in the.....special drainage district, in the county (or counties) of.....and State of Illinois.

Given under our hand this.....day of.....19..

Which certificate shall be signed by the commissioners in their corporate name. It shall thereupon be the duty of said clerk to compute and apportion the amount thus levied among the several tracts, in the name of the owners well known, according to acreage of each and its figure of classification on the graduated scale, so that each tract may bear its equal burden in proportion to benefits. The commissioners shall make out a tax list, which shall conform, as near as the facts will admit, to the list provided for in section 26 of this act, which list shall be signed by the commissioners and filed by the clerk, and any party against whose land a tax has been thus levied may appeal therefrom to the county court in the same time and manner and upon the same grounds as provided in section 27 of this act: *Provided, however,* where the lands of said district lie in two or more counties, the clerk of the court in which the proceedings are had shall forthwith, after the filing thereof, send a copy of such list to the circuit court clerk or recorder, as the case may be, of the other county or counties in which lands assessed may lie, showing the land assessed in such county or counties, and it shall be the duty of such circuit court clerk or recorder to file such list in a record in his office and properly note or index the fact of such levy to each quarter section of land assessed. The fees for such certification, recording and indexing shall be the usual fees for like service and shall be taxed as

costs in such proceedings, and when paid shall be distributed to the officers entitled to the same as part of the fees of their respective offices.

APPROVED May 10, 1901.

AGRICULTURAL AND SANITARY DRAINAGE—VOLUNTARY DISTRICTS.

§ 1. Amends section 76, act of 1885.

Approved May 11, 1901

§ 76. Districts for farm drainage—how formed—petition for—notice of petition—commissions—examination by—plat of lands to proportion cost—surveyor—advertise for bids—owner may do work—contract—treasurer of district—bond of—appeals—district to be a body corporate—shall keep ditch in repair—proceeding when in more than one township—annual reports of commissioners and treasurer—act also applicable to counties not under township organization—officers—compensation.

AN ACT act to amend section 76 of an act entitled, "An act to provide for drainage for agricultural and sanitary purposes, and to repeal certain acts therein named," approved June 26, 1885, in force July 1, 1885.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That section 76 of an act entitled, "An act to provide for drainage of agricultural and sanitary purposes, and to repeal certain acts therein named," approved June 27, 1885, in force July 1, 1885, be amended so as to read as follows:

§ 76. Where two or more parties owning adjoining lands which require a system of combined drainage have by voluntary action constructed ditches which form a continuous line, or lines and branches, the several parties shall be liable for their just proportion for such repairs and improvements as may be needed therefor, the amount to be determined as near as may be on the same principles as if these ditches were in an organized district. Whenever such repairs and improvements are not made by voluntary agreement, any one or more owning parts of such ditch shall be competent to petition the commissioners of highways of the township for the formation of a drainage district to include all the lands to be benefited by maintaining these ditches. The form and conditions heretofore prescribed shall be observed as near as practicable, except as otherwise directed by this act, but the ditches shall be taken as a dedication of the right-of-way and their construction and joining as the consent of the several parties to be united as a drainage district. These ditches,

if open, shall be made tile drains, where practicable, and with the written consent of the owners of more than one-half of the land in the district, and also more than one-half of the land owners in numbers. The petition shall be presented to the town clerk, who shall file the same in his office, and within five (5) days thereafter shall notify each commissioner of its receipt. Said clerk shall also cause notice of the filing of such petition to be served upon all owners of land included in said petition, whose residences are known, who reside in the county, which notice may be served by a constable or other officer upon persons residing in the county, and he shall at once mail notice to land owners not residing in said county. The commissioners shall, within ten (10) days after date of said notice, proceed to examine all the lands that would be benefited or damaged by reason of the proposed improvement, and if they find said ditch or ditches have been neglected, and damage has resulted from said neglect, they shall proceed to organize a drainage district by causing a plat to be made of all said lands and classify the same in such sized tracts for benefits and assessments as may seem most practicable, said plat or map to be clearly defined, and the said commissioners shall make special assessments for benefits on each tract of land separately, and also assess and determine the proportionate cost and expenses as to each tract separately, as provided in section 21 of this act, so far as practicable, and with all proceedings of commissioners in relation to the district placed on the drainage record of the township. The district shall be named and numbered. If necessary the commissioners may employ a competent and reliable surveyor or civil engineer. They shall proceed to have the needed work done without unnecessary delay. They shall advertise for bids for said work in the nearest newspaper, and by posting notices in not less than five (5) of the most public places in the township for ten (10) days before date for contracting for said work, and then let the work to the lowest responsible bidder, bids to be made upon the ditches upon the land of each land owner separately: *Provided*, each owner of land in the district shall have the right to do the required work on his land at the rate of the lowest bid for such work upon his land: *Provided*, he signs a contract to that effect on date of letting the contracts, and the work shall be done under the direction of the commissioners, and within the time to be designated by the commissioners. All expenses incurred by said district for construction, maintenance and repairs, shall be taxed on all lands in the district in just proportion to the benefit received. It is the intent of this act to include all lands that would be damaged by filling the original ditch. The supervisor of the township shall be the treasurer of the drainage fund upon executing a good and sufficient bond double the amount that shall probably come into his hands as such treasurer, with two or more good and sufficient sureties, to be filed with the town clerk and approved by him for the benefit of such drainage district. If any land owner of the district shall feel aggrieved at the assessment made by the commissioners, he may take an appeal to three (3) supervisors, as provided in sections 24 and 25 of the act hereby amended. When a drainage district is organized

under the provisions of this act it shall be known by the name adopted as provided in this act, and by that name shall be a body politic, and may sue and be sued, plead and be impleaded, contract and be contracted with, and it shall be their duty to maintain and keep in repair such ditch, the cost thereof to be apportioned and taxed against the several tracts of land in like manner as above: *Provided*, the land owners shall have the right themselves to do all acts necessary to such maintenance and repair. When the lands affected are in two or more townships, such petition shall be filed in the office of the town clerk of each township, who shall give like notice to the commissioners of highways of his township. In such case each town clerk shall cause notice as above to be given owners of land situated in his township and included in such petition. In such case the commissioners of highways of the several townships shall hold a joint meeting and from their number select three (3) who shall be the corporate authorities of such district and with the same powers, duties and responsibilities as heretofore provided for districts in one township; and shall also designate the supervisor of one of said townships as treasurer of said district. When once selected, the successor of such commissioner and of such supervisor, when duly elected, qualified and giving bond as herein provided, shall take his place among the corporate authorities of such district upon the same terms and conditions as above provided, unless changed at a joint meeting of the commissioners of highways of the several townships. The commissioners and treasurer shall make an annual itemized report of all moneys received and paid out by and for the district, with names of recipients of such money and nature of service rendered therefor; said report to be filed with the town clerk, who shall post a copy thereof on the door of the voting place of the township not less than five (5) days before the annual town meeting, and read in full by the clerk in said town meeting. This act shall in all respects be applicable to counties not under township organization, and be in full force in such counties: *Provided*, that instead of commissioners of highways being the commissioners for such drainage districts organized under this act, the board of county commissioners shall be the commissioners of such districts, and instead of the supervisors of townships, the collector of the county shall be the treasurer of such districts, and instead of the town clerk, the county clerk of the county shall be the clerk in such districts. And in counties not under township organization the board of county commissioners shall have the same powers, privileges, duties, responsibilities and restrictions as commissioners of highways, as provided in this act, and the county collector shall give bond as collector of such district in the same manner as herein provided for supervisors, and when organized, such district shall be a corporation with the rights, duties, privileges, powers, responsibilities and restrictions as heretofore provided for such drainage districts when so organized, and the compensation of all commissioners and clerks shall be two (2) dollars and fifty (50) cents per day, and the treasurer shall be allowed the usual commission or compensation for similar services.

APPROVED May 11, 1901.

APPOINTMENT OF DRAINAGE COMMISSIONERS.

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| <p>§ 1. Amends section 62, act of 1879 as amended by acts of 1885 and 1891.</p> <p>§ 62. Provides for appointment of commissioners by county judge in absence of petition.</p> | <p>Approved May 10, 1901.</p> |
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AN ACT to amend section sixty-two (62) of an act entitled, "*An act to revise and amend an act and certain sections thereof, entitled, 'An act to provide for the construction, reparation and protection of drains, ditches and levees across the lands of others, for agricultural, sanitary and mining purposes, and to provide for the organization of drainage districts,' approved and in force May 29, 1879, as amended by certain acts entitled, and to repeal certain laws herein named,*" approved June 30, 1885, in force July 1, 1885, as amended by an act approved June 16, 1891, in force July 1, 1891.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section sixty-two (62) of an act entitled, "*An act to revise and amend an act and certain sections thereof, entitled, 'An act to provide for the construction, reparation and protection of drains, ditches and levees across the lands of others, for agricultural, sanitary and mining purposes, and to provide for the organization of drainage districts,' approved and in force May 29, 1879, as amended by certain acts entitled, and to repeal certain laws herein named,*" approved June 30, 1885, in force July 1, 1885, and amended by an act approved June 16, 1891, in force July 1, 1891, be, and the same is hereby, amended so as to read as follows:

§ 62. On the first Monday of September, in each district heretofore organized under this act, and on the first Monday of September after any district may hereafter be organized under this act, the county court shall appoint three commissioners for each respective district, one to serve one year, one two years and one three years, from the date of the first appointment under this section, and on the first Monday of September of each year thereafter the said court shall appoint one commissioner of said district who shall hold his office for three years, and until his successor is chosen and qualified, but in all districts now organized or hereafter to be organized for the construction, reparation and protection of drains, ditches and levees for agricultural purposes, the said court shall appoint as commissioner or commissioners only such persons as shall be petitioned for by a majority of the adult land owners representing a majority of the acreage embraced in the district: *Provided*, such petition is filed in said court on or before the first day of September aforesaid. In case such petition is not filed, as aforesaid, then said court, within ten days after said first Monday in September, shall appoint some suitable person or persons as commissioner or commissioners of said district without such petition: *Provided*, that at any time after the drains, ditches or levees, for the construction of which the district

was organized, have been finally completed, the court may, on petition therefor, as aforesaid, dispense with two commissioners, and thereafter appoint for such district, in accordance with this act, but one commissioner, such one commissioner to hold office for the term of three years from his appointment and until his successor is chosen and qualified, and he shall perform the duties and exercise the powers thereof invested and imposed upon the three commissioners of such district.

APPROVED May 10, 1901.

APPOINTMENT OF DRAINAGE COMMISSIONERS.

§ 1. Amends act of 1879.

Approved May 11, 1901.

§ 62. Appointment of drainage commissioners—time, term, petition, vacancy.

AN ACT to amend an act entitled, "*An act to provide for the construction, reparation and protection of drains, ditches and levees across the lands of others, for agricultural, sanitary and mining purposes, and to provide for the organization of drainage districts,*" approved and in force May 29, 1879.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 62 of an act entitled, "*An act to provide for the construction, reparation and protection of drains, ditches and levees across the lands of others, for agricultural, sanitary and mining purposes, and to provide for the organization of drainage districts,*" approved and in force May 29, 1879, be, and the same is hereby, amended so as to read as follows:

§ 62. Appointment of Commissioners.] On the first Monday of September, in each district heretofore under this act, and on the first Monday of September after any district may hereafter be organized under this act, the county court shall appoint three (3) commissioners for each respective district, one to serve one year, one two years and one for three years from the date of the first appointment under this section, and on the first Monday of September of each year thereafter the said court shall appoint one commissioner of said district who shall hold his office for three years and until his successor is chosen and qualified, but in all districts now organized, or hereafter to be organized, for the construction, reparation and protection of drains, ditches and levees for agricultural purposes, the same court shall appoint as commissioner or commissioners only such person or persons as shall be petitioned for by a majority of the land owners representing a majority of the acreage embraced in the district, and no person shall be eligible to the office of commissioner under this act unless a majority of the land owners representing a majority of the acreage embraced in the district in which he may be appointed shall first have petitioned for his appointment, as afore-

said, and this section shall apply to all cases in which a vacancy may occur in the office of commissioner, by death, removal from the State, removal from office, or from any other cause: *Provided*, that at any time after the drains, ditches or levees for the construction for which the district was organized had been fully completed, the court may, on petition thereof, as aforesaid, dispense with two (2) commissioners, and thereafter appoint for such district but one commissioner, to hold office for the term of three (3) years from his appointment and until his successor is chosen and qualified, and he shall perform, the duties and exercise the powers therefore [theretofore] vested in and imposed upon the three (3) commissioners of such districts: *Provided*, that if, on said first Monday of September, no one person shall have presented a petition signed by a majority of the land owners representing a majority of the acreage embraced in the said district, then the county court shall appoint some person having the qualification prescribed in this act, who shall hold his office for three (3) years from the date of his appointment.

APPROVED May 11, 1901.

LEGALIZES PROCEEDINGS UNDER DRAINAGE ACT OF 1897.

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| <p>§ 1. Repeals act of 1897, amending sections 76 and 89a of the act of 1885.</p> <p>§ 2. Legalizes proceedings under act of 1897.</p> | <p>Approved May 10, 1901.</p> |
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AN ACT to repeal an act entitled, "*An act to amend sections 76 and 89a of an act entitled, 'An act to provide for drainage for agricultural and sanitary purposes and to repeal certain acts therein named,'*" approved June 27, 1885, in force July 1, 1885, as amended by act approved June 21, 1895, in force July 1, 1895, approved June 10, 1897, in force July 1, 1897, and to re-enact said section 76 and to legalize proceedings had and drainage district organized under said section 76.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an act entitled, "*An act to amend sections 76 and 89a of an act entitled, 'An act to provide for drainage for agricultural and sanitary purposes and to repeal certain acts therein named,'*" approved June 27, 1885, in force July 1, 1885, as amended by act approved June 21, 1895, in force July 1, 1895, approved June 10, 1897, in force July 1, 1897, be, and the same is hereby, repealed.

§ 2. That whereas, by the said act it was intended to amend sections 2 and 15a of the said act intended to be amended, but through inadvertency reference was made to the section numbers of Chapter 42, Hurd's Revised Statutes, instead of to the section numbers of the act itself, all actions had and all drainage districts formed under said section 76 of the said act, being the section in reference to districts by users, be, and the same are hereby, legalized and made legal.

APPROVED May 10, 1901.

SALE OF LANDS BY DRAINAGE COMMISSIONERS.

§ 1. Amends Acts of 1879 and 1885.

§ 72a. Commissioners may lease or
sell lands—where sold.

§ 72b. Time of sale—publication or
posting notices of sale—con-
tents of notice.

Approved May 11, 1901.

AN ACT to amend an act entitled, "*An act to revise and amend an act and certain sections thereof entitled 'An act to provide for the construction, reparation and protection of drains, ditches and levees across the lands of others for agricultural, sanitary and mining purposes, and to provide for the organization of drainage districts,'*" approved and in force May 29, 1879, as amended by certain acts herein entitled, and to repeal certain laws therein named, approved June 30, 1885, in force July 1, 1885, by adding two additional sections thereto relating to manner of advertisement and sale of real estate for delinquent drainage taxes.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an act entitled, "*An act to revise and amend an act and certain sections thereof entitled, 'An act to provide for the construction, reparation and protection of drains, ditches and levees across the lands of others for agricultural, sanitary and mining purposes, and to provide for the organization of drainage districts,'*" approved and in force May 29, 1879, as amended by certain acts herein entitled, and to repeal certain laws therein named, approved June 30, 1885, in force July 1, 1885, be, and the same is hereby, amended by adding two additional sections thereto, to be designated as section 72a and section 72b of said act, to read as follows:

§ 72a. The commissioners of any drainage district organized under this act are hereby authorized to lease or sell at public auction any land that may come into their possession in the manner provided for in sections numbered 32 and 72 of this act in such manner and on such terms as they may deem for the best interests of the district: *Provided*, that in all cases of sale of such land the sale shall be either at the door of the court house, where judicial sales of land are usually made, or else on the premises to be sold, as the commissioners may order and direct.

§ 72b. No real estate shall be sold by virtue of the preceding sections except between the hours of nine o'clock in the morning and the setting of the sun on the same day, nor unless the time (specifying the particular hour of said day at which said sale shall commence) and the place of holding such sale shall have been previously advertised weekly for four successive weeks in a public newspaper printed and published in the county where said sale shall be made, if there be any newspaper printed and published in such county, and in

addition thereto by putting up written or printed notices thereof in at least four of the most public places in the county where said real estate is situated; in all of which notices the real estate to be sold shall be described with reasonable certainty.

APPROVED May 11, 1901.

SANITARY DISTRICTS—CONSTRUCTION OF BRIDGES, ETC.

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| § 1. Purposes—purchase—eminent domain. | § 3. Who to operate and control such bridges |
| § 2. May construct bridges, when. | Approved May 13, 1901. |

AN ACT *extending the powers of sanitary districts organized under an act entitled, "An act to create sanitary districts and to remove obstructions in the Des Plaines and Illinois rivers," approved May 29, 1889, in force July 1, 1889, to enable such districts to improve certain navigable streams within or auxiliary to such district and to build bridges across such streams.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That any sanitary district organized under an act entitled, "An act to create sanitary districts and remove obstructions in the Des Plaines and Illinois rivers," approved May 29, 1889, in force July 1, 1889, which heretofore has or may hereafter use any navigable stream or river for a portion of its channel, or as an adjunct thereto or auxiliary to its main channel, may for the purpose of widening, deepening or improving the same, for purposes set forth in the act aforesaid, acquire by purchase, or under and pursuant to the eminent domain laws of this State, or otherwise, sufficient land for the purpose of making such improvement by widening and deepening said stream, as aforesaid.

§ 2. That wherever it has or may become necessary by reason of the widening, deepening or improving of such river, to construct bridges to meet the altered or changed condition of such stream or river, such sanitary district or districts may construct such bridge or bridges as such improvement, heretofore made or hereafter to be made, may require.

§ 3. Nothing herein contained shall be construed as depriving any city, village or town situated wholly or partly within the limits of said sanitary district of any power now exercised in the operation of said bridges; and any bridges built under the provisions of this act to supply or replace a public street or highway bridge, now or hereafter existing, shall, after the construction of said bridge, be operated and controlled for municipal purposes by said city, village or town within which it is located.

APPROVED May 13, 1901.

SANITARY DISTRICTS—DRAINAGE BONDS.

§ 1. Amends section 9, act of 1889.

Approved: May 10, 1901.

§ 9. Corporations may borrow money and
issue bonds—limitation.

AN ACT to amend "*An act to create sanitary districts and to remove obstructions in the DesPlaines and Illinois rivers,*" approved May 29, 1889, in force July 1, 1889.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 9 of an act entitled, "*An act to create sanitary districts and to remove obstructions in the DesPlaines and Illinois rivers,*" approved May 29, 1889, in force July 1, 1889, be and the same is hereby, amended so as to read as follows:

§ 9. The corporation may borrow money for corporate purposes, and may issue bonds therefor, but shall not become indebted in any manner, or for any purpose, to an amount in the aggregate to exceed five (5) per centum of the valuation of taxable property therein, to be ascertained by the last assessment for State and county taxes previous to the incurring of such indebtedness: *Provided, however,* that the said five (5) per centum shall not exceed the sum of twenty million of dollars (\$20,000,000).

APPROVED May 10, 1901.

 DRAM SHOPS.

SALE OF LIQUOR PROHIBITED NEAR SOLDIERS' HOMES.

§ 1. Unlawful to sell, distribute or give
away intoxicating liquors within one and
one-eighth miles of national homes for
disabled volunteer soldiers.

§ 2. Penalty for violation.

Approved May 10, 1901.

AN ACT prohibiting the sale, distribution or gift of intoxicating liquors near national homes for disabled volunteer soldiers.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That it shall hereafter be unlawful to sell, distribute or give away any intoxicating liquors within one and one-eighth miles of the boundary of any lands owned and used as a home by the national home for disabled volunteer soldiers in this State: *Provided,* this section does not effect [affect] the sale, distribution or gift of such intoxicating liquors within the boundary of the grounds of such home.

§ 2. Any person, by himself, agent or employé, violating the provisions of the foregoing section of this act, shall, upon conviction thereof, be punished by being fined in any sum not exceeding two hundred dollars, or shall be imprisoned in the county jail not more than six months, or by the infliction of both such fine and imprisonment, in the discretion of the court, for each and every offense.

APPROVED May 10, 1901.

ELECTIONS.

CHANGES OF PRECINCTS MUST BE REPORTED TO SECRETARY OF STATE.

§ 1. Amends section 30, acts of 1872, 1883, 1885 and 1895. | Approved May 10, 1901.

§ 30. Change of election precincts—
Dividing precincts into districts—Redivision of districts—County clerk to furnish Secretary of State with lists—County board to establish polling places.

AN ACT to amend section thirty (30) of an act entitled, "An act in regard to elections and to provide for filling vacancies in elective offices," approved April 3, 1872, in force July 1, 1872, as amended by an act approved June 18, 1883, in force July 1, 1883, and also amended by an act approved June 29, 1885, in force July 1, 1885, and further amended by an act approved April 4, 1895, in force July 1, 1895.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That section thirty (30) of an act entitled, "An act in regard to elections and to provide for filling vacancies in elective offices," approved April 3, 1872, in force July 1, 1872, as amended by an act approved June 18, 1883, in force July 1, 1883, and also amended by an act approved June 29, 1885, in force July 1, 1885, and further amended by an act approved April 4, 1895, in force July 1, 1895, be, and the same is hereby, amended so as to read as follows:

§ 30. Change of Election Precincts—Dividing Precincts into Districts.] The county board in each county shall, at its regular (or at a special) meeting in the month of July, 1885, respectively, divide its election precincts which contain more than four hundred and fifty voters into election districts so that each district shall contain, as near as may be practicable, four hundred voters, and not more in any case than four hundred and fifty. Said districts shall be composed of contiguous territory, and in as compact a form as can be for the convenience of the electors voting therein. The several county boards, in establishing said districts, shall describe them by metes and bounds, and number them. And as often thereafter as it shall appear by the number of votes cast at the general election held in

November of any year that any election district, or undivided election precinct, contains more than four hundred and fifty voters, the county board of the county in which such district or precinct may be shall, at its regular (or at a special) meeting in the month of July next after such November election, redivide or readjust the election districts, or divide such election precincts, so that no district or undivided election precinct shall contain more than the number of votes above specified. If said division or readjustment is not made at such July meeting, it may be made at an adjourned or special meeting of said county board to be held in the month of August next thereafter. And on or before the first day of September, 1901, the county clerk in each county shall make a correct list of all election precincts and election districts into which the county is divided, designating each by its name or number, or name and number, as the case may be, and forward said list to the Secretary of State; and thereafter, when, at any meeting of the county board, any redivision, readjustment, or change in name or number of election precincts or election districts is made by said county board, it shall be the duty of the county clerk to immediately notify the Secretary of State of such redivision, readjustment or change. The county board in every case shall fix and establish the places for holding elections in its respective county, and all general and special elections shall be held at the places so fixed. The said polling places shall, in all cases, be upon the ground floor, in the front room, the entrance to which is in a highway or public street which is at least forty feet wide, and as near the center of the voting population of the district as is practicable and for the convenience of the greatest number of electors to vote thereat, and in no case shall an election be held in any room used or occupied as a saloon, dram shop, billiard hall, bowling alley, or as a place of resort for idlers and disreputable persons, or any room connecting therewith by doors or hallways. No person shall be permitted to vote at any election except in the district in which he resides: *Provided*, that the county board may, if it deem it to be for the best interest of the voters of any town or precinct, divide any election precinct which contains more than three hundred legal votes into two election precincts, said precincts to contain as near two hundred voters as is possible.

APPROVED May 10, 1901.

DIVISION OF RURAL PRECINCTS HAVING MORE THAN 200 VOTERS.

§ 1. Amends section 30, acts of 1872 and 1899.

Approved May 10, 1901.

§ 30. Change of election precincts—
Dividing precincts into districts—Polling places—Petition for division—Rural precincts of more than 200 may be divided.

AN ACT to amend section 30 of an act entitled, "*An act in regard to elections and to provide for filling vacancies in elective offices,*" approved April 3, 1872, in force July 1, 1872, as amended by an act approved April 24, 1899, in force July 1, 1899.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 30 of "*An act in regard to elections and to provide for filling vacancies in elective offices,*" approved April 3, 1872, in force July 1, 1872, as amended by an act approved April 24, 1899, in force July 1, 1899, be amended so as to read as follows:

§ 30. The county board in each county shall, at its regular (or at a special) meeting in the month of July, 1885, respectively, divide its election precincts which contain more than four hundred and fifty voters into election districts so that each district shall contain, as near as may be practicable, four hundred voters, and not more in any case than four hundred and fifty. Said district shall be composed of contiguous territory, and in as compact form as can be for the convenience of the electors voting therein. The several county boards, in establishing said districts, shall describe them by metes and bounds and number them. And so often thereafter as it shall appear by the number of votes cast at the general election, held in November of any year, that any election district, or undivided election precinct, contains more than four hundred and fifty, the county board of the county in which such district or precinct may be shall, at its regular (or at a special) meeting in the month of June next after such November election, redivide or readjust the election district, or divide such election precincts so that no district or undivided election precinct shall contain more than the number of voters above specified.

If said division or readjustment is not made at such June meeting, it may be made at an adjourned or special meeting of said county board to be held in the month of July or August next thereafter. The county board in every case shall fix and establish the places for holding elections in its respective county, and all general and special elections shall be held at the places so fixed. The said polling places shall in all cases be upon the ground floor, in the front room, the entrance to which is in a highway or public street which is at least forty feet wide, and as near the center of the voting population of the district as is practicable, and for the convenience of the greater number of electors to vote thereat; and in no case shall an election be held in any room used or occupied as a saloon, dram shop, billiard hall, bowling alley or as a place of resort for idlers and disreputable persons, or in any room connecting therewith by doors or hallways. No person shall be permitted to vote at any election except in the district in which he resides: *Provided*, that the county board may, if it deem it to be for the best interest of the voters of any town or precinct which contains more than three hundred legal voters into two election precincts, said precincts to contain as near two hundred voters as possible: *Provided, further*, that the county board may, if it deem it to

be for the best interest of any town or precinct, outside of any incorporated city, and upon the petition of twenty-five per cent of the legal voters of said precinct, divide any election precinct which contains more than two hundred legal voters into two election precincts, said precinct to contain as near one hundred voters as possible: *Provided, further*, that it shall be the duty of the county board in each county where any State soldiers' and sailors' home or homes are located, the inhabitants of which are entitled to vote, to fix and establish the place or places for holding such election or elections at some convenient and comfortable place or places, easy of access, on the ground or grounds, and within the enclosure where such State soldiers' and sailors' home or homes are located.

APPROVED May 10, 1901.

LODGING HOUSES IN CITIES AND VILLAGES.

§ 1. Amends Sections 24 and 25, of Article II, acts of 1885, 1891 and 1899.

§ 24. Lodging house keepers to furnish sworn statement to election commissioners—Contents of statements—Penalty of failure to comply.

§ 25. Lodging house keepers not complying with Section 24 to appear before board with sworn statement and make oral statements as to lodgers—Time of hearing and service of citation.

Approved May 10, 1901.

AN ACT to amend sections twenty-four (24) and twenty-five (25), of Article II, of an act entitled, "An act regulating the holding of elections and declaring the results thereof in cities, villages and incorporated towns in this State," approved June 19, 1885, in force July 1, 1885, as amended by an act approved June 18, 1891, in force July 1, 1891, and as subsequently amended by an act approved April 24, 1899, in force July 1, 1899.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections twenty-four (24) and twenty-five (25), of Article II, of an act entitled, "An act regulating the holding of elections and declaring the result thereof in cities, villages and incorporated towns in this State," approved June 19, 1885, in force July 1, 1885, as amended by an act approved June 18, 1891, in force July 1, 1891, and as subsequently amended by an act approved April 24, 1899, in force July 1, 1899, be, and the same are hereby, amended so as to read as follows:

§ 24. The landlord, keeper or manager of every lodging house, boarding house, inn, hotel or tavern in such city, village or incorporated town shall, not less than twenty-eight (28) nor more than thirty (30) days prior to every election, file with the election commissioners a written statement, sworn to by him, giving the full name of every person residing in his lodging house, boarding house, inn, hotel or tavern, the period of the continuous residence of such person ending at the date of such statement, the number of the room, bed or cot that such person occupies, and the period for which such person engaged board or lodging, and such other information as the

election commissioners may, by due regulation designate. Any landlord, keeper or manager of any lodging house, boarding house, inn, hotel or tavern, neglecting or failing to comply with the provisions of this act, shall be deemed guilty of a misdemeanor and shall be liable to a penalty not exceeding \$100 nor less than \$25.

§ 25. Any landlord, keeper or manager of any such lodging house, boarding house, inn, hotel or tavern, who shall fail or neglect to file such statement as in this act provided, may, upon written information of the attorney for the election commissioners, be cited by the election commissioners, or upon the complaint of any voter of such city, village or incorporated town, to appear before them and furnish such sworn statement and make such oral statements under oath regarding such lodging house, boarding house, inn, hotel or tavern, as the election commissioners may require. The election commissioners shall sit to hear such citations on the Friday of the fourth week preceding the week in which such election is to be held. Such citation shall be served not later than the day preceding the day on which it is returnable.

APPROVED May 10, 1901.

POLLING PLACES AT SOLDIERS' HOMES.

§ 1. Amends section 30 of the acts of 1872, 1895 and 1899.

Approved May 10, 1901.

§ 30. Change of election precincts—
Dividing precincts into districts -- Polling places -- Provides for elections on grounds of Soldiers' and Sailors' Homes.

AN ACT to amend section 30 of an act entitled, "An act in regard to elections, and to provide for filling vacancies in elective offices," approved April 3, 1872, in force July 1, 1872, as amended by an act approved April 4, 1895, in force July 1, 1895, as amended by an act approved April 24, 1899, in force July 1, 1899.

SECTION 1. *Be it enacted by the People of the State of Illinois, [represented] in the General Assembly:* That section 30 of an act entitled, "An act in regard to elections, and to provide for filling vacancies in elective offices," approved April 3, 1872, in force July 1, 1872, and amended by an act approved April 4, 1895, in force July 1, 1895, and amended by an act approved April 24, 1899, in force July 1, 1899, be amended to read as follows:

§ 30. The county board in each county shall, at its regular or special meeting in the month of June, 1885, respectively, divide its election precincts which contain more than four hundred and fifty voters into election districts so that each district shall contain, as near as may be practicable, four hundred voters and not more in any case

than four hundred and fifty. Said district shall be composed of contiguous territory and in as compact a form as can be for the convenience of the electors voting therein. The several county boards in establishing said district shall describe them by metes and bounds and number them. And so often thereafter as it shall appear by the number of votes cast at the general election held in November of any year that any election district or undivided election precinct contains more than four hundred and fifty, the county board of the county in which said district or precinct may be shall, at its regular or at a special meeting in the month of June next after such November election, redivide or readjust the election district or divide election precincts so that no district or undivided election precinct shall contain more than the number of voters above specified. If said division or readjustment is not made at such June meeting, it may be made at an adjourned or special meeting of said county board to be held in the month of August next thereafter. The county board in every case shall fix and establish the places for holding elections in its respective county and all general and special elections shall be held at the places so fixed. The said polling places shall in all cases be upon the ground floor, in the front room, the entrance to which is in a highway or public street which is at least forty feet wide, and as near the center of the voting population of the district as is practicable and for the convenience of the greatest number of electors to vote thereat; and in no case shall an election be held in any room used or occupied as a saloon, dram shop, bowling alley, or as a place of resort for idlers and disreputable persons, billard hall, or in any room connecting therewith by doors or hallways. No person shall be permitted to vote at any election except in the district in which he resides: *Provided*, that the county board may, if it deem it for the best interests of the voters of any town or precinct, divide any election precinct which contains more than three hundred legal voters into two election precincts, same precincts to contain as near two hundred voters as is possible: *Provided, further*, that it shall be the duty of the county board in each county where any State soldiers' and sailors' home, or homes, or any national home for disabled volunteer soldiers are located, the inhabitants of which are entitled to vote, to fix and establish the place or places for holding such election or elections at some convenient and comfortable place or places easy of access on the ground or grounds and within the enclosure where such State soldiers' and sailors' home, or homes, or national home for disabled volunteer soldiers, are located.

APPROVED May 10, 1901.

PRIMARY ELECTIONS.

§ 1. Amends act of 1898.

[§ 1.] When act applies—"State convention," "county convention," "city convention," "township convention," "ward convention," and "district convention," defined. Where held—quorum, officers, how chosen.

§ 2. What parties may hold primaries—where—No two parties to hold primaries on same day.

§ 3. Call for primary—time of call—what call shall set forth—proviso.

§ 4. Signatures to call—use of party names restricted.

§ 5. Notice of primaries—time of notice—contents—publication of—failure to publish—error in publication. Courts to take judicial notice.

§ 6. Primary election district—what shall constitute—number of voters limited—proviso—judges and clerks, appointment of—polling places, location, character.

§ 7. Judges and clerks—appointment of—may be designated by political organizations—oath—notification of—record of appointment—failure to act—penalty—substitutes.

§ 8. General election laws apply—furnishing of polling places, ballot-boxes, registry and poll books, blanks and other supplies—notice—compensation of judges and clerks—supervision, etc.—poll books, ballot boxes, keys, etc., to be stored and preserved—opening and closing of polls—delivery of supplies to judges.

§ 9. Expense of primaries, how paid—auditing claims.

§ 10. Compensation of judges and clerks.

§ 11. Qualifications of voters.

§ 12. Qualification of delegates—alternates—proviso—vacancies.

§ 13. Voting by ballot—form of ballot—who may furnish—what ballot shall contain—ballots marked "defective" or "objected to"—manner of voting—destruction or concealing of ballots—penalty.

§ 14. Opening and closing of polls—absence of judges and clerks—filling vacancies—penalties—change of polling places.

§ 15. Ballot box to be kept in view—other precautions—ballots not to be handed in through windows, etc.

§ 16. Duty of clerks—form of poll book.

§ 17. Duty of judges—shall initial, display and deposit ballot. Challengers to state reason—oath—affidavits—who may challenge—proviso.

§ 18. Challengers, number, privileges, position.

§ 19. Police.

§ 20. Powers of judges—may administer oaths, cause arrests, etc.

§ 21. Canvassing votes—"stuffed ballots"—counting ballots and announcing result.

§ 22. Adjournments prohibited—declaration of result—statements of judges, form of, contents, return of.

§ 23. Certificates of election—tie vote.

§ 24. Perjury and subornation of perjury.

§ 25. Certain acts of judges and clerks declared misdemeanors.

§ 26. Certain acts of judges and clerks declared felonies.

§ 27. Other acts declared felonies.

§ 28. Other acts declared misdemeanors.

§ 29. Other acts declared misdemeanors.

§ 30. Other acts declared felonies.

- § 31. Other acts declared misdemeanors.
- § 32. Other acts declared felonies.
- § 33. Other acts declared misdemeanors.
- § 34. Other acts declared misdemeanors.
- § 35. Other acts declared misdemeanors.
- § 36. Other acts declared misdemeanors.
- § 37. Other acts declared misdemeanors.
- § 38. Other acts declared misdemeanors.
- § 39. Other acts declared misdemeanors.
- § 40. Other acts declared misdemeanors.
- § 41. Other acts declared felonies.

- § 42. Other acts declared misdemeanors.
- § 43. Fixes penalty for misdemeanor and felony under this act.
- § 44. "Householder" defined.
- § 45. Prosecutions under act—County clerks and election commissioners to produce evidence.
- § 46. Informality of call, etc., no defense for violation of act.
- § 47. Repeal of act of 1889.
- § 48. How counties and municipalities may bring themselves under this act—Petition, notice, election, form of ballot, record of result. Proviso—obligatory in counties of 125,000 or more—optional in other counties.

Approved May 11, 1901.

AN ACT to amend an act entitled, "An act providing for primary elections of delegates to nominating conventions of political parties or organizations, and to promote the purity thereof by regulating the conduct thereof, and to support the privileges of free suffrage thereat by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof," approved and in force February 10, 1898.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an act entitled, "An act providing for primary elections of delegates to nominating conventions of political parties or organizations, and to promote the purity thereof by regulating the conduct thereof, and to support the privileges of free suffrage thereat by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof," approved and in force February 10, 1898, be amended to read as follows:

[SECTION. 1.] That in every county, city, village or incorporated town respectively in this State to which this act shall apply as hereinafter provided, the primary elections for delegates to constitute the various conventions of the different political parties or organizations of such county, city, village or incorporated town, or any part thereof, held for the nomination of candidates for public office in this State, and any part thereof, and for the Congress of the United States, whose names are to be printed on the official election ballots printed and distributed at public expense in such county, city, village or incorporated town, or any part thereof, shall hereafter be held under and pursuant to this act. A convention to nominate candidates for public office to be voted for by the electors of the entire State shall be known as a "State convention," a convention to nominate candi-

dates for public office to be voted for by the electors of an entire county shall be known as a "county convention;" a convention to nominate candidates for public office to be voted for by the electors of an entire city, village or incorporated town shall be known as a "city, village or town convention," respectively; a convention to nominate candidates for public office to be voted for by the electors of an entire township shall be known as a "township convention;" a convention to nominate candidates for public office to be voted for by the electors of an entire ward shall be known as a "ward convention;" all other nominating conventions in this State shall be known as "district conventions."

Each nominating convention shall be held within the boundaries of the municipality or district for which its nominations are to be made and at the place designated in the call. A majority of the delegates entitled to a seat in the convention shall be necessary to constitute a quorum. The delegates, a quorum being present, shall select one of their number to call the convention to order and to preside until the temporary officers are chosen. All convention officers shall be delegates and shall be chosen upon a roll-call of the delegates entitled to a seat in the convention, each delegate announcing his choice; and the persons receiving the votes of a majority of the delegates shall be declared elected as the officers of the convention. No adjournment or recess of the convention shall be taken before completing the nominations it was called to make, except upon a yea and nay vote taken upon a roll-call of the delegates.

§ 2. Any political party or organization which at the last preceding general election for Governor in this State polled at least ten per cent of the entire votes cast in the particular county, city, village or incorporated town, or district thereof, respectively, for which the application is being made, shall be entitled under this act to hold one primary election on any day in the months of December, January, February, or March immediately preceding any regular spring or summer elections; which primary election shall effect [affect] only the nominations for the offices to be filled at the particular spring or summer elections next and immediately following such primary election day; and such political party or organization, qualified as stated in this section, shall be entitled also to hold another primary election on any day in the months of May, June, July, August or September immediately preceding any regular autumn elections; which last mentioned primary election shall affect only the nominations for the offices to be filled at the particular autumn elections next and immediately following such primary election day: *Provided*, that such primary election day and certificates of nomination shall be subject to the provisions of section 7 of an act entitled, "An act to provide for the printing and distribution of ballots at public expense, and for the nomination of candidates for public office, to regulate the manner of holding elections, and to enforce the secrecy of the ballot," in force July 1, 1891; and such primary election day shall be at least six days before nomination certificates are due. Within the time limited, as aforesaid, such political party or organization, through its central

committee or managing committee, may determine and name the day for holding such primary election; but no two different political parties shall hold their primary elections on the same day; and the political party first applying, as hereinafter set forth, shall have the preference in the choice of days, in case two or more different political parties shall in their application appoint the same day.

§ 3. No political party or organization shall be entitled under this act to hold a primary election unless at least fifteen days before such primary election day such political party or organization shall file with the board of election commissioners within whose jurisdiction they are, and in such portions of the county as lie beyond the jurisdiction of said board of election commissioners, also with the county clerk, and with the county clerk where there is no board of election commissioners, a call or application in writing, which shall set forth:

First—The name of such political party and the address of the headquarters of the central committee or managing committee of such political party.

Second—The day on which such primary election is to be held.

Third—The name, place and time of every convention for the nomination of candidates for public office for which such primary election is called.

Fourth—The description of each of the various primary election districts, together with the names of the three persons for judges of election and two persons for clerks of election for each such primary district, also the designation of a polling place for each such primary district.

Fifth—The number of delegates from each such primary district to each convention: *Provided*, that the number of delegates from each of the different primary districts be proportioned equally to the number of voters of such political party in each district as shown by the last preceding presidential election returns: *And, provided*, that each primary election district shall be allowed to be represented by at least one delegate to each convention in which such primary district is entitled to be represented.

Sixth—The name of some newspaper recommended for the publication of the notice of such primary election as hereinafter provided:

Provided, that all the organizations or subdivisions of any one general political party representing any municipality, district, or ward, within the territory of the municipality adopting this act, shall hold their primary elections, such as may then be in order, for the respective county, city, village or incorporated town, or other political divisions therein, together and on one and the same day; and each municipal, district or ward organization of the party that neglects to join shall forfeit the right to hold primaries for its political nominations then due. In due time before filing said call or application, the central or managing committee representing the largest political territory for which primaries are next in order may notify in writing the chairman or secretary of each territorial organization of such general party to return in writing, within a specified time, properly authenti-

cated by such territorial organization of the party, the request of such subdivision of the party for its respective primaries, and also the name, place and time of the lawful nominating conventions they wish to hold, and containing other lawful suggestions; and upon receiving such request in writing, such central or managing committee shall include in said call or application the name, place and time of the proper conventions of such subdivision of the party, and all such other proper matters and things as will make its primaries effective, fair and equal, and shall make only such small changes in the time of the suggested primary election day or the convention days as may be required by this act in order to have all the primaries of each political party held on the same day; but such central or managing committee, even if no such request in writing is returned, may include the primaries and conventions of all such lesser territorial subdivisions of the party. If such central or managing committee, after receiving such request in writing, files said call or application without including therein the primaries and conventions of the subdivision of the party making a request in writing as aforesaid, such subdivision of the party shall be entitled to hold its primaries together with the general party, upon filing with the proper public officer, clerk or board, at least twelve days before the primary election day, an application in writing, which shall set forth the fact of such omission, the name of the headquarters of the subdivision of such party, the name, place, and time of the lawful conventions desired to be held by such subdivision of the party, and containing also such other suggestions and statements as will make it possible for the proper authorities to include the primaries of such subdivision of the party in the general primaries of the general party. In default of such central or managing committee in filing any call or application at least twenty-one days before nomination certificates for the regular election day are due, then each subdivision of such party whose lawful primaries are then in order may, not less than eighteen days before the day such certificates are due, file its own call or application, and the lawful officer, board of election commissioners, or the county clerk, as the case may be, with whom the calls are lawfully filed shall, in an order or memorandum substantially in the form of a call or application, fix one and the same day for all such primaries, and shall determine and fix upon all other things necessary to have such applicants have an effective, fair and equal primary election with as little public expense as possible.

§ 4. Such call or application shall be signed by the chairman and attested by the secretary of the central committee or managing committee of such political party or organization, verified by oath that the facts therein stated are true and that they are, respectively, the chairman and secretary of such committee. No persons and no political party or organization shall use the name of another political party or organization (or any designation similar to that of another political party or organization) in such manner as to deceive voters. Upon the filing of such call or application according to the provisions of this act, any political party or organization which, at the last preceding general election

in this State, polled at least ten (10) per cent of the entire vote cast in the whole county, city, village or incorporated town, represented by such political party or organization shall be allowed to hold a primary election under this act.

§ 5. At least ten (10) days before the primary election day designated as aforesaid by such political party, it shall be the duty of the board of election commissioners, or the county clerk, or both, as the case may be, upon the application of any political party entitled thereto as aforesaid, through its central committee, or managing committee, as aforesaid, to give notice of such primary election. Such notice shall contain the name of the political party or organization for which such primary election is to be held, the address of the headquarters of the central committee, or managing committee, of such party, the name, place and time of each convention according to the call aforesaid to be held by such party for the nomination of candidates for public office, the date upon which such primary election is to be held, the description of each of the various primary election districts, the location of the polling place for each such district, the names of the three judges and the two clerks appointed to serve at each primary election district, and the number of delegates to be elected from each primary district to each convention. Such notice shall be published in some newspaper of general circulation recommended by the executive committee of the political party or organization for which such primary election is to be held. But no failure or error in such publication, or in the application aforesaid, shall invalidate any primary election actually held, and any primary election held pursuant to any notice substantially like the above notice shall be deemed to be held under this act, and all justices of the peace and all judges of courts of record in the territory for which such primary election is called shall take judicial notice of the holding of such primary election under this act.

§ 6. For purposes of primary elections under this act, in the more sparsely settled country a regular election precinct may constitute a primary election district; but in populous sections, in order to save expense, from two to seven, but no more, entire contiguous election precincts of the same ward, or other political division, in as compact a form as practicable, may be joined so as to form one primary election district, but in such manner that each primary election district, consisting of two or more regular election precincts, shall include at least three regular election judges and two regular election clerks residing within such primary district and belonging to the party establishing such primary district. In no event shall any primary district contain more than eight hundred (700) voters, to be ascertained by the party vote of the party holding said primary election cast at the last preceding presidential election. Primary districts, when lawfully established, shall remain as established for each party's successive primaries, except as changes may be necessitated by law.

Provided, that where a regular election precinct consists of, and is coextensive with, a congressional township, then said congressional township shall constitute one primary election district within the meaning of this act.

And, provided further, that in such case and in any case where there exists no board of election commissioners, and where the judges and clerks of election are appointed and chosen by a board of supervisors or board of county commissioners, then the judges and clerks who are to serve as judges and clerks of any primary election shall be members of the political party holding such primary election; and if there are no judges and clerks of election in and for such congressional township who belong to, or are members of, the political party seeking to hold a primary election under the provisions and within the meaning of this act, then the county central or governing committee of such political party shall have, and is hereby granted, the power and right to name, appoint, notify, direct and qualify such members of its own party as are otherwise eligible under the provisions of this act to serve as judges and clerks of such or any primary election held under and within the meaning of this act. And in such event the compensation per diem of such judges and clerks shall be the same as that of judges and clerks serving at any regular election, notwithstanding the provision for compensation found in section 10 of this act.

In each such primary election district there shall be a primary polling place, which shall be as near the center of population of such district as is practicable, and such primary polling place shall be in the most public, orderly and convenient part of such primary district, and within a room permitting easy ingress and egress to voters, and no building shall be designated or used as such polling place in which spirituous or intoxicating liquor is sold, or which is within one hundred (100) feet of any place where such liquor is sold. The central committee, or managing committee, of any political party or organization entitled to hold such primary elections under this act shall establish such primary election districts and designate such polling places according to this act not less than fifteen (15) days before such primary election day. In default of such central committee or managing committee designating such primary election districts and polling places, the same shall be done by the member or members of the board of election commissioners representing said party, or, if no such board exists in the county, then by the judge of the county court.

§ 7. Not less than ten days before such primary election day, the certain person, officer, officers or board, or board of election commissioners, as the case may be, by the general election law authorized to appoint judges and clerks for general elections, is, and are hereby, empowered to appoint, and shall, for each primary election district, appoint and swear in from the list of duly appointed and regular election judges and clerks, and otherwise as herein provided, three judges and two clerks, who are members of such political party, to serve, respectively, as judges and clerks at such primary election:

Provided, however, that such political party or organization, through its central or managing committee, shall have the right, not less than fifteen days before such primary election day, to designate and name for appointment for service at such primary elections such certain of the regularly listed judges and clerks as were originally recommended and named or endorsed for appointment as regular election judges and clerks by such political party; and in case there are not a sufficient number of listed regular judges and clerks so originally recommended and named or indorsed by such political party to equip all primary polling places of such party, then such political party or organization may, not less than fifteen days before such primary election day, through its central or managing committee, recommend to such appointing power a sufficient number of qualified persons for appointment to serve as primary election judges and clerks to equip all the primary polling places of such party; and such person, officer or board having such appointing power, to whom or to which such names are designated by such political party as aforesaid, shall, not less than ten days before such primary election day, select from the names so recommended, and shall notify, appoint and swear in such persons if qualified to act as judges and clerks at such primary election; and such persons so appointed shall serve as judges and clerks, respectively, at such primary election. Except when only one or two regular election precincts form a primary election district, no two judges and no two clerks shall serve at the same primary polling place who reside in the same regular election precinct. In default of such designation or recommendation of such judges and clerks by such political party, and in any case of vacancy among primary judges and clerks, then such person, officer or board having the appointing power as aforesaid shall appoint and swear in from the list of duly appointed and regular election judges and clerks who are members of such party a sufficient number of judges and clerks to equip all the primary polling places of such party. Such judges and clerks appointed under this act shall take an oath of office substantially as follows, and shall subscribe their names to the same:

"I....., residing at....., in the city (village or town) of....., in the State of Illinois, do solemnly swear (or affirm) that I am a legal voter and a member of the..... party and a householder in the..... ward of the city (village or town) of....., in the State of Illinois; that I will support the laws and constitution of the United States and of the State of Illinois, and that I will faithfully and honestly discharge the duties of primary election judge (or clerk) for the..... primary election district of the..... ward, of the city (village or town) of....., in the county of....., in the State of Illinois, according to the best of my ability.

Dated this.....day of....., A. D.....

....."

In due time before such primary election day such appointing person, officer or board shall notify every person designated as aforesaid and intended for appointment as judge or clerk of the fact of his selection; and he shall, unless excused by such person, officer or board, for good cause, be appointed as a judge or clerk, respectively, and he shall then be bound to serve as such judge or clerk for the ensuing primary election. Such person, officer or board appointing judges and clerks as aforesaid shall keep a record of the names of all such persons so notified to appear, and whether such persons were rejected for want of qualification or excused for cause; in such case the facts shall be noted. In case any person so notified shall not appear before such person, officer or board, as required in this act, or if he do appear and refuse to serve, or if he shall be sworn to serve and fail to serve on the day appointed, he shall be guilty of a misdemeanor under this act, unless good cause be shown to excuse his default for such service. In case the person intended for appointment does not appear upon notification, then other persons shall be notified as aforesaid until eligible persons are found who will serve. All persons subscribing to the oath as aforesaid, and all persons actually serving as judges and clerks at any primary election, whether sworn in or not, shall be deemed to be, and are hereby declared to be, officers of the county court of the respective county; and such persons shall be liable to punishment by such court in a proceeding for contempt for any misbehavior as such judge or clerk, to be tried in open court on oral testimony, in a summary manner, without written pleadings; but such trial or punishment for contempt of court shall not be any bar to any criminal proceeding against such primary judges or clerks for any violation of this act.

§ 8. All the laws of this State respecting the general elections in this State, now or hereafter in force in any election precinct or district in such county, city, village or incorporated town, except as the same are modified by the provisions of this act, and so far as the same are applicable to the primary elections provided for in this act, are hereby declared to be in force in each primary election district respecting the primary elections providing for in this act.

Polling places in the respective primary election districts shall be appointed, provided, established, furnished, warmed, lighted maintained, conducted and supervised;

And all necessary ballot boxes, registry books, return sheets, blanks, poll books, stationery and supplies shall be provided, furnished, delivered and used;

And notices of such primary election shall be given, posted and published;

And all judges and clerks shall be paid, appointed upon the recommendation of the central committee or managing committee, as aforesaid, qualified, notified, directed, instructed, sworn, and vacancies in their number supplied;

And such primary elections in each election district shall be conducted, supervised, regulated and controlled;

And after being used at any primary election, all registry books, poll books, ballots, statements, returns, ballot boxes, ballot box keys, and other election paraphernalia shall be preserved, kept, stored, accounted for and returned;

And the polling places and the polls of such primary election shall be opened and closed respectively;

In the same manner and by the same persons or officers or boards or judges and clerks, as is provided by the law in force in any election precinct or district in such county, city, village or incorporated town respecting the general elections, except as such general election laws are modified by this act, and except as to the time of appointing the respective polling places in the various election precincts or districts, which time shall be at least ten (10) days before each primary election day.

The certain person, officer, board, board of election commissioners, or any or all of them, by the general election law authorized to furnish or have the custody of general election ballot boxes, general registry book of voters, and other election paraphernalia, shall, in due time before primary election day, notify one or more of the judges of each election district to appear before such person, officer or board in due time before primary day; and such judges shall appear within such time, and such person, officer or board shall deliver to such judge or judges for each primary election district one ballot box, also one regular election registry book of voters for each regular election precinct included in the primary election district; also sufficient poll books, tally sheets, blank affidavits, oaths, statements of votes, delegates' certificates of election; also all other blanks, papers and supplies necessary to carry out the provisions of this act.

§ 9. The expense of conducting such primary elections shall be paid by the county, or by the city, or by the village or incorporated town, respectively, to which this act shall apply, as hereinafter provided, including the salaries of judges and clerks, the cost of ballot boxes, registry books, poll boxes, return sheets, stationery, supplies, polling-places and such other expenses as are necessary and incidental to carrying out the provisions of this act.

The board of election commissioners, where such board has jurisdiction, otherwise the clerk of the county, shall audit all the claims of such judges and clerks of such primary election: *Provided*, that in cities, villages and incorporated towns where there is a board of election commissioners all expense incurred by said board of election commissioners shall be paid by such city. Such expenses are to be audited by the county judge and shall be paid by the city treasurer upon the warrant of such county judge out of any money in the city treasury not otherwise appropriated. It shall be the duty of the governing authority of such city to make provision for the prompt payment of such expenses. At all primary elections for city officers, though other than city officers may be nominated at the same time, and at all primary elections in a part of such city, such city shall pay such judges and clerks for their services under this act. At all general, county and State primary elections, though other than State and

county officers are to be nominated, and at all primary elections where other than judicial officers are to be nominated, such county shall pay such judges and clerks for their services under this act. Said board of election commissioners shall audit all the claims of judges and clerks and shall draw a warrant therefor upon such city or county treasury, as the case may be.

§ 10. The judges and clerks of such primary election shall be allowed the sum of five dollars (\$5.00) each per day for their services in attending such primary election.

§ 11. In order to be qualified to vote at a party's primary election, the person offering to vote shall be a member of the particular party and legally qualified to vote at the next ensuing regular election. He shall be registered on the regular election registry books within the primary district and reside within the district in which he offers to vote: *Provided*, no person shall be deemed to be a member of a particular party if he has signed any petition for the nomination of any person with reference to the nominations for the next ensuing regular elections, or if he has voted at the primary election of another party within the period of one year next preceding: *Provided*, that in all localities where there is no board of election commissioners having jurisdiction of general elections, every legal voter entitled to vote at regular elections within any election precinct included within the primary district of which he is a resident, and who is a member of the political association or party holding the primary election, shall be entitled to vote at such primary election under the regulations and restrictions applicable to the regular elections.

§ 12. None but legally qualified voters residing in the primary district to be represented shall be eligible as delegates to any convention of such party. Judges and clerks acting as such at any primary election shall be ineligible as delegates or alternates to any such convention. Not more than one person shall be elected as an alternate delegate for each delegate to any such convention, and no person shall act as a delegate to any such convention except when elected a delegate, or an alternate delegate, according to this act: *Provided*, that in the absence of a delegate the alternate delegate whose name appears on the ballot opposite the name of such absent delegate shall act in his stead; but if such alternate also is absent, then the delegates present representing the district shall select from the other alternates who are present the person who shall act in place of the absent delegate. If all the alternates are absent, or if there are not sufficient alternates to fill vacancies, then delegates of the district present shall select any qualified member or members of the party as delegates to fill such vacancies. If no delegates or alternates from a given district are present, the vacant delegation may be filled by the delegate or delegates present from that ward or township.

§ 13. At such primary elections the manner of voting shall be by ballot. The ballots shall all be of uniform size, and eight (8)

inches in length and (8) inches in width. The ballots shall be printed or written, or partly printed or partly written, upon plain white paper. Any person or persons may, at private expense, furnish such ballots, and no primary election ballots shall be furnished at public expense. The name of each delegate and alternate delegate for whom the voter intends to vote shall appear on one ballot, on one and the same side thereof in plain letters, together with the name of the convention to which such delegates are to be elected. Immediately preceding the list of delegates to any convention may appear the name of the candidate or candidates for whom such delegates are expected to vote in such convention, or the word "unpledged" may appear, and at the top of the ballot may appear the simple party name, the primary district and the location of the polling place. Unless ballots substantially comply with this act, in size and color, the same shall be void for all purposes, and shall not be received or deposited or counted by any person or judge at any such primary election; and all ballots not in accordance with the provisions of this act, but which by any mistake may have been deposited in the ballot box, shall be void, and shall be marked "defective" on the back thereof; but no ballot shall be defective because the voter depositing the same has named upon it a less number of delegates than such voter was entitled to vote for. If the voter votes for more persons than there are delegates to be elected, to a certain convention, of [or] if for any reason it is impossible for the judges to determine the voter's choice, such ballot or part thereof shall not be counted. Ballots not counted shall be marked "defective" on the back thereof, and ballots to which objection has been made by either of the judges or challengers shall be marked "objected to" on the back thereof, and a memorandum, signed by the judges, stating how it was counted, shall be written upon the back of each ballot so marked, and all ballots marked "defective," or "objected to," shall be enclosed in an envelope securely sealed and so marked and endorsed as to clearly indicate its contents. The judges shall receive from any person and permit to be freely and equally exposed, in separate and orderly piles, within the polling place, near the ballot box and within reach of voters, a sufficient supply of each of the various primary tickets or ballots; and the judges shall hand one of each of the various tickets to each and every person qualified to vote; and whenever the supply of any of the various tickets becomes insufficient, the judges shall immediately mention the fact of such insufficiency to one or more of the candidates or persons interested in said ticket. Any judge or clerk, or any other person, who shall in any manner conceal or remove or destroy any such supply of tickets, or who shall hinder or prevent or interfere with the free and equal reception, exposure, distribution, use or supply of such various primary tickets or ballots, or who shall do any electioneering within 100 feet of the polling place shall, upon conviction thereof, be deemed guilty of a misdemeanor.

§ 14. The polls of such primary election shall be opened at twelve o'clock noon and continue open until seven o'clock in the afternoon of the same day, at which time the polls shall be closed; if any judge

or clerk, without lawful excuse, shall be behind time for fifteen (15) minutes after the time for opening such polls, he shall be guilty of a misdemeanor under this act and punished accordingly. No judge or clerk shall absent himself to exceed five (5) minutes at any time until the ballots are all cast and counted and returns made; and, when absent for any cause during such time, said judge or clerk shall authorize some one of the same political party with himself to act for him until his return. If any judge or clerk shall not be present after the expiration of fifteen (15) minutes from the time to open the polls, the judge or judges present shall fill the place of such absent judge or clerk, and one of the judges shall administer to such substitute the oath, as required of the judges or clerks when originally appointed, and blank forms shall be provided for such purpose, which oath shall be preserved and returned by the judges to the proper officer or the board, and such appointee shall be subject to the same punishment and penalties as any other judge or clerk. Whenever such regular judge or clerk shall be present such substitute shall cease to act. If all judges or clerks fail to appear at the proper time at the polling place, or in case no primary judges and clerks have been appointed as provided in this act, then bystanding voters of such primary district, to the number of five (5) or more, of such political party may elect legal voters of such party to act as judges or clerks. Such judges and clerks, elected as last aforesaid, shall have full power to conduct such primary election in accordance with this act. Any judge or clerk who shall wilfully absent himself from the polls on such primary election day without good cause shall be guilty of a misdemeanor under this act; and if any judge or clerk shall wilfully detain any registry book or poll book, or other election paraphernalia, and not cause it to be produced at the polling place at the opening of the polls, or for fifteen (15) minutes thereafter, he shall be guilty of a misdemeanor under this act.

If for any good cause a primary election can not be held at the polling place designated or appointed as aforesaid, the judges of such polling place may, at the time set for opening the polls of such primary election, adjourn such election to the most convenient polling place, near by, which is otherwise suitable according to this act; and such judges shall publicly proclaim such change and post a notice of such change on the polling place originally appointed.

§ 15. Before voting begins the ballot box shall be empty; and it shall be opened and shown to those present to be empty; and it shall not be removed from the public view from the time when it is shown to be empty until after the close of the polls. It shall be locked and the key delivered to one of the judges, and it shall not be again opened until the close of the polls. The judges of election shall each be held guilty of a misdemeanor, under this act, if such ballot box shall not by them be kept constantly in public view during the progress of the election, unless it shall be shown by any judge that he protested against any obstruction of the view of the ballot box and

was overruled by the majority of the judges. Voters shall be admitted within the polling place, and there shall be permitted no handing in of votes through windows, doors or other openings.

§ 16. Each of the clerks of election, in the poll books kept by him, shall enter in the proper column the name of each person whose vote is duly received for deposit in the ballot box; and in the column under the heading "Number" he shall note the successive number of each successive voter; and in the column headed "Residence" he shall note the residence of each such voter. Each page of such special book shall be substantially in the following form:

REPUBLICAN (OR DEMOCRATIC) POLL BOOK.

of a primary election held in the.....
 primary district of the.....ward,
 Of the city of.....town of.....
 county of.....on the.....day of
A. D. 19....

This is to certify that the within list is a correct list of (Republican or Democratic) voters at a primary election held on the.....
 day of.....A. D. 19.... in the.....primary
 district of the.....ward, in the city of.....
 town of.....county of.....and State
 of Illinois.

And that on said primary election day.....19....
 the undersigned judges and clerks served, and are entitled to pay
 therefor.

..... }
 } Judges of Election.

..... }
 } Clerks of Election.

Dated.....19....

NO. OF VOTES.	NAMES OF VOTERS.	RESIDENCE.
1
2
3
4
5
6

Such poll books shall otherwise be of the form, and shall contain the same certifications, as nearly as may be, as the poll books used in the regular elections, and such poll books shall be signed and attested in the same manner as poll books for the purpose of regular elections.

§ 17. One of the judges of such election shall receive the ballot from the voter and shall announce the residence and name of such voter in a loud voice; such ballot shall be folded by the voter in such a manner that the contents thereof can not be seen without unfolding such ballot. If the judges of election are satisfied that the person offering to vote is a legal voter, whose name is registered on the regular election registry books, except as herein otherwise provided for localities where there is no board of election commissioners, and are satisfied that he is a member of the political party holding such primary election, and, if no challenge is interposed, the judge receiving such ballot shall again announce to the clerks of election the residence and name of the person offering such ballot, and such judge shall mark with pencil or ink the initials of his own name on the back of such ballot as it is folded, and thereupon such judge, after holding up and showing the ballot to be so marked, shall immediately, in the presence of the voter offering such ballot, and keeping the same in plain view of the judges and clerks of election and of such voters and challengers as may be present, deposit into the slot of the ballot box the ballot thus received and marked, and no other; and thereupon the clerks of election shall enter upon the poll books in the proper column the name and proper successive number of each voter and his residence. The judges and clerks, and each of them, shall see to it that each ballot is endorsed, as aforesaid. If such person shall be challenged as disqualified, the person challenging shall assign his reason therefor, and thereupon one of said judges shall administer to the person offering to vote an oath to answer all questions truthfully, and if he shall take such oath he shall then be questioned by said judge or judges touching such cause of challenge, and touching any other cause of disqualification, and he may also be questioned by the person challenging him in regard to his qualifications and identity; but if a majority of the judges are of the opinion that he is the person so registered and a voter qualified to vote at such party primary election, his vote shall then be received and deposited. But if the vote of a person apparently registered be rejected by such judges, such person may afterwards produce and deliver an affidavit to such judges, subscribed and sworn to by him before one of said judges, in which it shall be stated how long he has resided in any precinct within such primary district, and in the county and State; that he is a male citizen of the United States, and is a member of the political party holding such election, and is a duly qualified voter at such primary election in such district, and that he is the identical person so registered or so named. But the affidavit aforesaid shall be supported by an affidavit by at least two registered voters, who are householders residing in such primary district, stating their own residence and that they know such person to be a member of the political party holding such primary election, and that such person does reside at the place mentioned, and has resided in such primary district and in such election precinct, county and State for the length of time as stated by such person, which affidavit shall also be subscribed and sworn to as the affidavit last aforesaid. Whereupon the vote of such person shall be

received and entered as other votes. But the clerks having charge of such poll books shall state in their respective poll books the facts in such case and the name of the person challenging; and the affidavits so delivered to said judges shall be preserved and returned to the officer entitled to receive them. Any registered voter of the party in the district may challenge. Blank affidavits of the character aforesaid shall be sent out to judges of all the districts, and the judges of election shall furnish the same on demand and administer the oath without criticism. Such oaths, if administered by any other officer than a judge of election, shall not be received: *Provided*, that no judge, challenger or other person shall in bad faith, or for purpose of delay, challenge or question registered voters of the district.

§ 18. The judges of election shall permit each different ticket of delegates to be represented by a challenger, chosen by a majority of those named for delegates on any particular ticket. Said challengers shall be protected in the discharge of their duty by the judges of election and the police. Said challengers shall be permitted to remain within the polling-place in such a position as will enable them to see each person as he offers his vote; and said challengers may remain within the polling-place throughout the canvass of the vote and until the returns are signed. The challengers shall be permitted to remain so near that they can see the judges and clerks are faithfully performing their duties.

§ 19. The judges of election shall admit one or more policemen to be present in said polling-place at the time of such canvass. None but the officers of such primary election, challengers and peace officers shall occupy such polling-place except for the purpose of voting.

§ 20. The judges of election shall have the power to administer and certify oaths required during the progress of any primary election held under this act, and they shall have authority to keep the peace, and to cause any person to be arrested for any breach of the peace or for any breach of election laws, or any interference with the progress of such election or of the canvass of the ballots, and it shall be the duty of all officers of the law present to obey the orders of such judges of election, and an officer making an arrest by the order of any judge for any violation of the provisions of this act shall be protected in making such arrest the same as if a warrant had been issued to him to make such arrest.

§ 21. Immediately upon the closing of the polls the judges and clerks shall proceed to canvass the votes polled. If two or more ballots are found folded together and within each other, so as to appear to have been cast by the same person as one ballot, and the inner ballot or ballots are without the proper initial mark, as provided in this act, then all such ballots so folded together, including the outer one, whether such outer one is properly marked on the back thereof as provided in this act or not, shall, as nearly as may be, in the same condition as found, be marked "stuffed," and such ballots shall be void and shall not be counted, and the same shall be placed in an envelope marked "stuffed ballots," which envelope shall be sealed and preserved, together with the other ballots. If the ballots

remaining shall be found to exceed the number of names entered on the poll lists, such judges and clerks shall reject the ballots, if any be found upon which the proper initial marks do not appear. If the number of ballots still exceeds the number of names entered on such poll list, the ballots remaining shall be replaced in the ballot box and the box closed and well shaken, and again opened, and one of the judges shall publicly draw out and destroy so many ballots unopened as shall be equal to such excess, keeping a note of the number of such ballots and noting the same on the statement of returns. Such judges and clerks shall then proceed to count, declare and record the votes in the following manner: The judges shall open all the ballots and place in separate piles those which contain the same names throughout. Each of the judges shall examine such separate piles and exclude from such piles any ballots which do not contain all the same names for all the same conventions. One of said judges shall then take one pile of the ballots which contain the same names and count them carefully, examining each name and convention on each of such ballots. Such judge shall then pass the ballots aforesaid to the judge sitting next to him, who shall count them in the same manner, and he shall then pass them to the third judge, who shall also count them in the same manner. The third judge shall then call the names of the persons named in such ballots and the conventions for which they are designated, together with the number of votes for each so far as counted, and the poll clerks shall tally the number of votes for each of such persons on tally sheets. When such judges have counted through such first pile of ballots containing the same names, and when the poll clerks shall have tallied the votes for each of the delegates named in such ballots, they shall then take up the next pile of ballots containing the same names and shall count them in the same manner as last aforesaid. When the counting of each pile of ballots which contain the same names shall be completed the poll clerks shall compare their tallies together and ascertain the total number of ballots of that kind so canvassed, and when they agree upon the number, one of them shall announce it in a loud voice to the judges. The judges shall then canvass the other kind of ballots, which, in names or conventions, do not correspond with one another. They shall be canvassed separately by one of the judges, sitting between two other judges, which one judge shall read to the clerks from each such ballot each name and the convention for which such name is designated, and the other judges looking at the ballot at the same time, and the poll clerks tallying the same. When all these ballots have been canvassed in this manner, the clerks shall compare their tallies together and ascertain the total number of votes received by each person, and when they agree upon the number, one of them shall announce in a loud voice to the judges the number of votes received by each person.

§ 22. Such canvass shall not be adjourned or postponed until the several statements hereinafter required to be made by the judges and clerks have been made and signed by them. Upon the completion

of such canvass, the judges of election shall declare the result thereof, and such declaration shall be *prima facie* evidence of the result. The judges of election shall make three statements of all the votes cast at such primary election. Such statement shall be substantially in the following form:

REPUBLICAN (OR DEMOCRATIC).

STATEMENT OF VOTES.

STATE OF ILLINOIS, }
COUNTY OF..... } ss.

At a primary election held on the.....day of.....
A. D. 19...between the hours of 12 o'clock noon and 7 o'clock p. m.,
at.....in the.....primary district
of the.....ward, of the town of.....of
the city of.....county of.....and
State of Illinois, the following named persons received the number
of votes annexed to the [their] respective names for the following
described conventions, to-wit:

.....
.....received.....votes for city convention
.....received.....votes for city convention
.....received.....votes for city convention
.....
.....received.....votes for town convention
.....received.....votes for town convention
.....received.....votes for town convention
.....
.....received.....votes for ward convention
.....received.....votes for ward convention
.....received.....votes for ward convention
.....

This is to certify that the foregoing statement, showing the total number of votes for each of the above mentioned persons for the conventions annexed to their respective names, is correct in every respect.

Given under our hands this.....day of.....
A. D. 19....

..... }
..... } Judges of Election.
..... }

(Witnessed by)

..... }
..... } Clerks of Election.

Such statements shall show the whole number of votes given for each person, and the convention for which he is designated, and such judges shall certify that such statements are correct in every respect, and the clerks of election shall witness the same. Each such statement and each sheet of paper forming a part of such statement shall be subscribed by the judges and election clerks. If any judge or clerk shall decline to sign such statements, he shall state his reasons therefor in writing, and a copy thereof, signed by himself, shall be enclosed with each statement. One statement, as aforesaid, of the votes cast shall, after being made out as aforesaid, be attached to the poll book; another statement as last aforesaid shall be enclosed in an envelope, properly endorsed and marked by such judges, and the same shall, by one of such judges, be addressed and carried to the office of the chairman of the central committee or managing committee of such political party, who filed the call or application for primaries, and the receipt of such chairman shall be taken therefor. Another statement shall be enclosed in an envelope, which shall then be securely sealed, and each of the judges shall write his name across every fold at which the envelope, if unfastened, could be opened. On the outside of such envelope shall appear substantially the following words: "Statement of all Republican (or Democratic) votes cast at the..... Primary District of the..... ward of the town of..... county of..... on the..... day of..... A. D. 19...."

The envelope last aforesaid shall be addressed to the person, officer, board, or board of election commissioners, by the general election law charged with the duty of receiving and preserving election returns, and one of the judges shall carry the same to such person, officer or board, as the case may be, and take a receipt for the same.

§ 23. The judges of election of each primary district shall issue a certificate of election to each person who has received a plurality of all the votes cast for delegates or alternate delegates to any particular convention from such primary district, and they shall deliver the same to the persons entitled thereto. In case two or more persons each receive the same and the highest number of votes cast for delegates or alternate delegates to the convention, then the judges of election shall then and there decide by lot which person or persons shall be entitled to such certificates, and they shall issue to each such person so chosen such certificate, and make a note of such fact upon the statements provided for in this act. Such certificate of election shall be evidence *prima facie* of the right of the person therein named to a seat in the convention therein named.

§ 24. Any person who shall wilfully, corruptly and falsely swear or affirm in taking any oath or affirmation prescribed by or upon any examination provided for in this act, and every person who shall wilfully and corruptly instigate, advise, induce or procure any person to swear or affirm falsely, as aforesaid, or attempt or offer so to do, shall be guilty of perjury or subornation of perjury, as the case may be, and shall, upon conviction thereof, suffer the punishment directed by law in cases of willful and corrupt perjury.

§ 25. If any judge or clerk shall neglect or refuse to canvass the votes at the time and in the manner provided for in this act, or refuse to make the returns required in this act, he shall, upon conviction thereof, be adjudged guilty of a misdemeanor under this act.

§ 26. Every judge of election, clerk or other officer or person authorized to take part in or perform any duty in relation to any canvass or official statement of the votes cast at such election in any district, who shall wilfully make any false canvass of such votes, or who shall make, enter, write, sign, publish or deliver any false return of such election, or any false statement of the result of such election, or any material writing incidental to such election, knowing the same to be false, shall, on conviction thereof, be adjudged guilty of a felony under this act.

§ 27. If any person acting as judge at such primary election shall wilfully fraudulently and without lawful excuse refuse to make out, sign or deliver to the person entitled thereto any certificate of election as delegate or alternate delegate, provided for in this act, or shall wilfully and fraudulently make out, sign and issue such certificate of election to any person not entitled thereto, or shall issue such certificate of election to any person at any time in advance of the official count of the votes at such polling-place, or shall commit any other willful or fraudulent act with reference to such certificate, such person shall, upon conviction thereof, be adjudged guilty of a felony under this act.

§ 28. If any judge of a primary election shall, without urgent necessity, absent himself from the polling-place during election, whereby less than a majority of all the judges of such election district shall be present during such hours of election or canvass of ballots; or if at any election any judge of election or clerk shall, knowingly and wilfully, receive any vote, or proceed with the canvass of ballots, or shall consent thereto, unless a majority of the judges of election are present and concur, such judge or such clerk shall be guilty of a misdemeanor under this act.

§ 29. Any judge of election who shall wilfully exclude any vote duly tendered and unchallenged, knowing that the person offering the same is lawfully entitled to vote at such election, or who shall wilfully receive a vote from any person who has been duly challenged in relation to his right to vote at such election, without exacting from such person such oath or other proof of qualifications as may be required by law, shall, upon conviction thereof, be adjudged guilty of a misdemeanor under this act.

§ 30. If any judge of election shall knowingly and wilfully cause or permit any ballot or ballots, or semblance thereof, to be in the ballot box at the opening of the polls and before voting begins, or shall knowingly, wilfully and fraudulently put, or permit to be put, any ballot, or other paper having the semblance thereof, into any such box at any such election;

Or if any person, other than a judge of election, shall at any such election wilfully and fraudulently put, or cause to be put, any ballot

or ballots, or other paper having the semblance thereof, into any box used at such election for the reception of votes;

Or if any person shall at such election fraudulently change or alter the ballot of any elector or substitute one ballot for another;

Or if any such judge of election or other officer or person shall fraudulently, during the canvass of ballots, in any manner change, substitute or alter any ballot taken from the ballot box then being canvassed, or from any ballot box which has not been canvassed;

Every such judge or person shall, upon conviction thereof, be adjudged guilty of a felony under this act.

§ 31. If any judge of election, clerk or other officer of election, of whom any duty is required in this act or by the general laws of this State, for the omission of which duty no punishment is provided, shall be guilty of any willful neglect of such duty, or of any corrupt or fraudulent conduct or practice in the execution of the same, he shall, upon conviction thereof, be adjudged guilty of a misdemeanor under this act.

§ 32. Any person, or any member of a board, or any judge of election, clerk or other officer, who is guilty of stealing, wilfully and wrongfully breaking, destroying, mutilating, defacing, falsifying, or unlawfully removing or secreting or detaining the whole or any part of any ballot box or receptacle for ballots, or any record, registry of voters, or copy thereof, oath, return or statement of votes, certificate, poll list, or of any paper or document provided for in this act;

Or who shall fraudulently make any entry, erasure or alteration therein, except as allowed and directed by the provisions of this act, or who permits any other person so to do, shall, upon conviction thereof, be adjudged guilty of a felony under this act.

Every person who advises, procures or abets the commission of any of the acts mentioned in the last preceding two paragraphs shall, upon conviction thereof, be adjudged guilty of a felony under this act.

§ 33. If any person knowingly or wilfully shall obstruct, hinder or assault, or by bribery, solicitation or otherwise interfere with any judge of election, clerk or challenger, in the performance of any duty required of him, or which he may be by law authorized or permitted to perform;

Or if any person, by any of the means before mentioned or otherwise, unlawfully shall, on the day of election, hinder or prevent any judge of primary election, clerk or challenger in his free attendance and presence at the place of election in the primary election district in and for which he is appointed or designated to serve;

Or in his full and free access and egress to and from any such place of election;

Or, shall molest, interfere with, remove or eject from any place of election any such judge of election, clerk or challenger, except as otherwise provided in this act, or shall unlawfully threaten, or attempt or offer so to do;

Every such person shall be guilty of a misdemeanor under this act.

§ 34. If any person shall wilfully disobey any lawful command of any judge of election, given in the execution of his duty as such, at any such primary election, he shall, upon conviction thereof, be adjudged guilty of a misdemeanor under this act.

§ 35. If, on any day of primary election, or during the canvass of the votes cast thereat, any person shall cause any breach of the peace, or be guilty of any disorderly violence, or threats of violence, whereby any such election or canvass shall be impeded or hindered, or whereby the lawful proceedings of any judge of election or clerk, or other officer of such election, or challenger, are interfered with, or causes intoxicating liquors to be brought or sent to the polling place, every such person shall, upon conviction thereof, be guilty of a misdemeanor under this act.

§ 36. Any person who votes with a certain party at such primary election, when he knows he is not qualified so to vote under the provisions of this act, shall, upon conviction thereof, be deemed guilty of a misdemeanor under this act.

§ 37. If any person who shall have been convicted of bribery, felony or other infamous crime under the laws of any state, and who has never received a pardon for such offense from the officer or board entitled to grant such pardon, shall thereafter vote, or offer to vote, at any primary election in such city, village or incorporated town, he shall, upon conviction thereof, be adjudged guilty of a misdemeanor under this act.

§ 38. If any person, knowing that he is not qualified to vote at such primary election, takes a place in any line of voters waiting to vote at any election, or if any person, after having voted at such election, takes a place in such waiting line, or if any person repeatedly takes a place in such waiting line without voting when the opportunity comes, and who systematically gives up his place in such waiting line, such person shall, upon conviction thereof, be adjudged guilty of a misdemeanor under this act.

§ 39. If, at any such election, any person shall falsely personate any elector legally qualified to vote at such primary election, and vote, or attempt or offer to vote, in or upon the name of such elector or other person, living or dead; or shall knowingly, wilfully or fraudulently vote, or attempt or offer to vote more than once, or vote in more than one primary district; or shall by force, threat, menace, intimidation, bribery or reward, or offer or promise thereof, or otherwise unlawfully, either directly or indirectly, influence or attempt to influence any elector in giving his vote;

Or shall unlawfully prevent or hinder, or unlawfully attempt to prevent or hinder, any qualified voter from freely exercising the right of suffrage;

Or shall, by any such unlawful means, compel or induce, or attempt to compel or induce, any judge of election or other officer, to receive the vote of any person not legally qualified or entitled to vote at the said election;

Or by any such means, or other unlawful means, wilfully, knowingly or fraudulently counsel, advise, induce, or attempt to induce, any judge of election or other officer of election, whose duty it is to ascertain, proclaim, announce or declare the result of any such election, to give or make any false certificate, document, report, return or other false evidence in relation thereto, or to refuse to comply with his duty, as specifically provided for in this act, or to refuse to receive the vote of any person entitled to vote therein;

Or shall aid, counsel, advise, procure or assist any legally qualified voter, person or judge of election, or other officer of election, to do any act by law forbidden, or in this act constituted an offense;

Every such person shall, upon conviction thereof, be adjudged guilty of a misdemeanor under this act.

§ 40. If any person shall, at any such election, fraudulently furnish any elector with a ballot containing more than the proper number of names;

Or shall intentionally practice any fraud upon any elector to induce him to deposit a ballot as his vote, and to have the same thrown out and not counted, or to have the same counted for a person or candidate other than the person or candidate for whom such elector intended to vote; or otherwise defraud him of his vote; or if any person shall order or cause to be printed a bogus or partly bogus primary ticket, or a primary ticket of delegates or alternates without first having secured the consent of each person named on such ticket to stand as delegate or alternate delegate for a specified convention on that particular ticket of names; or if any person causes to be brought or sent to the vicinity of a polling place such unauthorized tickets in order that they may be distributed;

Every such person shall, upon conviction thereof, be adjudged guilty of a misdemeanor under this act.

§ 41. Any person who shall make, seek or obtain for himself or another, a false certificate of election as delegate or alternate delegate to any convention, knowing that he or such other person is not entitled thereto, and any person who shall use, or attempt to use, such certificates of election, knowing the same to be false or fraudulent, or to have been issued for another person; and any person who shall fraudulently, knowingly and without right, act as a delegate or alternate delegate to any such convention, shall upon conviction thereof, be adjudged guilty of a felony under this act.

§ 42. If any person shall commit any act prohibited herein, or refrain from doing any act or duty required to be done herein, and if any person shall in any manner be guilty of a violation of this act, whether the same is denominated an offense or not, and for which no punishment is herein specifically provided, such person shall, upon conviction thereof, be adjudged guilty of a misdemeanor under this act.

§ 43. Any person adjudged guilty of an offense denominated a misdemeanor under this act shall be fined not less than twenty-five

dollars (\$25) nor more than one thousand dollars (\$1,000), or shall be imprisoned in the county jail not less than one month nor more than two years, or any such person may be punished by both such fine and imprisonment.

Any person adjudged guilty of an offense denominated a felony in this act shall be punished by imprisonment in the penitentiary for not less than one year nor more than five years.

§ 44. The word "householder," as used in this act, shall mean the chief, or head, of a family, who resides with a family as a family, and who supports and provides for such family as an independent family.

§ 45. In all prosecutions and in all contests under this act it shall be the lawful duty of the clerk of the county, or of the board of election commissioners or other officers having the custody thereof, to produce, open, exhibit and offer in evidence any notice, ballot book, registry book, bundle of ballots, returns, statements or other documents or papers relating to the particular prosecution or contest for the purpose of enabling a full investigation.

§ 46. Irregularities or defects in the mode of calling, noticing, convening, holding or conducting any primary election authorized by law shall constitute no defense to a prosecution for a violation of this act. When an offense shall be committed in relation to any primary election an indictment for such offense shall be sufficient, if it allege that such election was authorized by law, without stating the call or notice of election aforesaid, the names of the judges or clerks holding such election, or the names of the persons voted for at such election. Judicial notice shall be taken of this act in any county, city, village or incorporated town to which this act shall apply, and of the holding of any election thereunder on any primary election day.

§ 47. In counties, cities, villages or incorporated towns to which this act shall apply, as hereinafter provided, the act entitled, "An act to regulate primary elections of voluntary political associations, and to punish frauds therein," approved June 6, 1889, and in force July 1, 1889, is hereby declared to be, and the same is and shall be, inoperative and of no force and effect; and the adoption of this act shall have the force and effect of repealing all laws and parts of laws inconsistent therewith within the municipality adopting this act.

§ 48. The electors of any county, city, village or incorporated town now existing, or hereafter existing, in this State, may adopt and become entitled to the benefit of this act in the following manner:

Whenever one thousand of the legal voters of such county, city, village or incorporated town, voting at the last preceding election, shall petition the judge of the county court of such county to submit to a vote of the electors of said county, city, village or incorporated town, respectively, the proposition as to whether such county, city, village or incorporated town, respectively, and the electors thereof shall adopt and become entitled to the benefits of this act, it shall be the duty of such county court and the judge thereof to submit such proposition accordingly at the next succeeding general, State or

county election, and if such proposition is not adopted at such election, the same shall, in like manner, be submitted to a vote of the electors of such county, city, village or incorporated town by such county court, and the judge thereof, upon like application, at any general, State or county election thereafter, and an order shall be entered of record in said county court, submitting the proposition, as aforesaid. If one thousand shall exceed one-eighth of the legal voters of such county, city, village or incorporated town, respectively, voting at the last preceding election, then such petition or application need not be signed or made by more than one-eighth of the legal voters of such county, city, village or incorporated town voting at the last preceding election.

The judge of said county court shall give at least ten days' notice of election at which such proposition is to be submitted by publishing such notice in one or more newspapers published in the county for at least five times, the first publication to be at least ten days before the day of election; and if no newspaper is published in said county, then by posting at least twenty-five copies of such notice in twenty-five of the most prominent places in such county, city, village or incorporated town, respectively, at least ten days before such election. Such election shall be held under the election law in force in such county, except as herein otherwise provided. The proposition so to be voted for shall be on a separate ballot, in plain, prominent type, and shall be prepared and provided for that purpose in the same manner as other ballots, and shall be substantially in the following form:

For adoption of the act for primary elections of political parties.....	Yes.	
	No.	

If a majority of the votes cast upon such proposition shall be voted for such proposition, this act shall thereby be adopted by such county, city, village or incorporated town, respectively, and the judge of the county court of the county shall thereupon enter of record an order declaring this act in force in all parts of such county, city, village or incorporated town, respectively.

Provided, that in counties of 125,000 inhabitants or more this act shall be in full force and effect without submitting the question of its adoption to a vote of the people.

And, provided further, that in counties of less than 125,000 inhabitants which may have heretofore adopted the provisions of this act, none of the provisions of this act shall be operative unless hereafter adopted regularly by such county in the manner herein provided.

APPROVED May 11, 1901

PRIMARY ELECTIONS FOR COUNTIES OTHER THAN COOK.

§ 1. Amend section 7, act of 1899.

Emergency.

§ 7. Selection of delegates to nominating conventions — chairman and secretary to certify names to county clerk — marking of ballots — time of opening and closing polls.

Approved February 27, 1901.

AN ACT to amend "*An act providing for primary elections of delegates to nominating conventions of political parties or organizations, and to provide for the purity thereof,*" approved April 24, 1899, in force July 1, 1899.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 7 of "*An act providing for primary elections of delegates to nominating conventions of political parties or organizations, and to provide for the purity thereof,*" approved April 24, 1899, in force July 1, 1899, be amended to read as follows:

§ 7. The selection of delegates to all nominating conventions shall be made in the following manner: The requisite number of delegates to which each precinct, ward or district is entitled shall first be determined, and a like number of blank lines placed on each ballot. Names of candidates, delegates and alternates who may be certified as such to the county clerk seven days prior to the holding of such primary election by the chairman and secretary of the city, township or county central committee of the party holding such primary election, shall be printed upon the official ballot. The voter, while in the booth, may write or paste on the blank lines provided on the ballot the requisite number of names of persons of his choice, to act as delegates; or make a cross opposite the name of the delegates of his choice printed on the ticket; and the requisite number of persons for delegates receiving the highest number of votes cast shall constitute the delegates from such precinct, ward or district to the nominating convention thereof, and the requisite number receiving the next highest number of votes cast shall constitute the alternates.

The polls shall be opened at 12 o'clock m. on the day of election and close at 7 o'clock p. m. of the same day, except in rural districts, where they may close at 5 o'clock p. m.: *Provided*, they so specify in the call for such election.

WHEREAS, An emergency exists, therefore this act shall take effect and be in force from and after its passage.

APPROVED February 27, 1901.

SUBMISSION OF QUESTIONS OF PUBLIC POLICY.

§ 1. Submission to vote on petition—filing of petition—only one proposition submitted at same election.

§ 2. Form of ballot.

Approved May 11, 1901.

AN ACT *providing for an expression of opinion by electors on questions of public policy at any general or special election.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That on a written petition signed by twenty-five per cent of the registered voters of any incorporated town, village, city, township, county or school district; or ten per cent of the registered votes [voters] of the State, it shall be the duty of the proper election officers in each case to submit any question of public policy so petitioned for, to the electors of the incorporated town, village, city, township, county, school district or State, as the case may be, at any general or special election named in the petition: *Provided*, such petition is filed with the proper election officers, in each case not less than sixty (60) days before the date of the election at which the question or questions petitioned for are to be submitted. Not more than three propositions shall be submitted at the same election, and such proposition shall be submitted in the order of its filing.

§ 2. Every question submitted to electors shall be printed in plain, prominent type upon a separate ballot, in form required by law, the same as a constitutional amendment or other public measure proposed to be voted upon by the people.

APPROVED May 11, 1901.

REGISTRATION.

§ 1. Amends sections 3 and 5 of Article III, act of 1899.

§ 3. Time and place of meeting of board of registry—registration when made—registry books, number, form, when opened, how used, and what to contain.

§ 5. Second registration day—Register exposed to public inspection—who may challenge applicant for registration—affidavit when challenged—penalty for registration of challenged person—affidavit of person denied registration, to whom presented and when.

Approved May 11, 1901.

AN ACT to amend section 3 and section 5 of Article III of an act entitled, "An act regulating the holding of elections and declaring the result thereof in cities, villages, and incorporated towns in this State," approved June 19, 1885, in force July 1, 1885, as amended by an act approved June 18, 1891, in force July 1, 1891, as amended by an act approved April 24, 1899, in force July 1, 1899.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 3 and section 5 of Article III of an act entitled, "An act regulating the holding of elections and declaring the result thereof in cities, villages and incorporated towns in this State," approved June 19, 1885, in force July 1, 1885, as amended by an act approved June 18, 1891, in force July 1, 1891, as amended by an act approved April 24, 1899, in force July 1, 1899, be amended so as to read as follows:

§ 3. Such board of registry and the election clerks shall meet in the precinct on Tuesday, three weeks preceding the first general city, village or town election, or the first general State or county election, which may occur after the first appointment of such board of election commissioners, at the place designated by such board of commissioners, and they shall then proceed to make a general registration of all the voters in such precinct. A new general registration shall be made by the board of registry in every year in which a congressional election occurs, and just prior thereto, the first day of such registration being on the Saturday immediately preceding the Tuesday four weeks before such election, and the second day of registration being on Tuesday three weeks before such election. Three registry books shall be furnished to such board of registry by the board of election commissioners for the purpose of such registration, and two of such books of registry shall be prepared substantially in the following form:

REGISTER OF VOTERS.....

RESIDENCE.	NAME.	NATIVITY.	TERM OF RESIDENCE					Age.	Naturalized.
			At Present Address.	Precinct.	County.	State.	United States.		
240 Ohio st.....	Ames, Wm. J.	Mass	6 mos..	6 mos..	2 years	10 years	25 years	25 years.	
205 Ontario st....	Allen, John...	England..	20 days	3 mos..	3 years	5 years.	7 years.	33 years.	Yes.
150 Dearborn ave.	Austin, Geo ..	Georgia...	3 days.	3 days.	5 years	6 years.	41 years	41 years.	
131 Clark st	Anchuler, C...	Germany..	3 mos..	3 years	6 years	6 years.	6 years.	26 years.	Yes..

PRECINCT.....WARD.

Date of Naturalization papers.	COURT.	By act of Congress.	Qualified Voter.	Date of Application for Registry.	Residence When Last Registered.	Why Disqualified. Erased.	RE-STORED		REMARKS.
							By Commissioners.	By Court.	
May 27, 1871.	Superior, N.Y.		Yes..	Oct. 5, 1885..	240 Ohio st.....				211 Ontario street. 2 months.....
					April, 1885				
			Yes..	Oct. 5, 1885..	2500 Fifth ave.				
July 1, 1863..	Not known.... Baltimore.....				April, 1885				
			No....	Oct. 12, 1885.	230 W. Adams st				
					April, 1885				
			Yes..	Oct. 12, 1885.	First Reg.....				

One registry book, which shall be denominated "public register" on the outside or on the first page, shall be prepared in such a manner as to contain only the two columns headed "residence" and "name." No other entries shall be made in the public registry, except the statements of the names and residences of persons registered. Said board of registry shall then proceed as follows:

First—They shall open the registry at eight o'clock a. m. and continue in session until nine o'clock p. m. on the first day. One of the judges shall administer to all persons who shall personally apply to register the following oath or affirmation:

"You do solemnly swear (or affirm) that you will fully and truly answer all such questions as shall be put to you touching your place of residence, name, place of birth, your qualifications as an elector, and your right, as such, to register and vote under the laws of this State."

Second—Each of said clerks of election, and one of said judges of election, shall have charge of the registry books, and shall make the entries therein required by this act, and one of the judges shall ask the questions as to qualifications, and after he is through, either of the judges may ask questions. As many questions may be asked by any judge as may be deemed necessary to fully determine the qualification of the applicant to register, and any answer that is deemed material and that is not in response to a question provided for on the register, may be stated in the column headed "remarks." One of the judges of election may, when necessary, relieve one of the clerks, from time to time, as necessity may seem to demand, in making entries in said book.

Third—The name of every applicant shall be entered in such registry books, and all the facts shall be therein stated, as hereinafter provided, whether he be entitled to vote or not. If it shall be determined by the board that he is not a qualified voter in such precinct, then an entry shall be made in the appropriate column, "No," and if qualified, an entry shall be made in the same column, "Yes."

Fourth—Only such male persons of the age of twenty-one years, residing in such precinct, as apply personally for registration, shall be entered in such registers; but every applicant who would be twenty-one years of age on the day of the next election, if otherwise qualified, shall be entered on such registers. Every applicant who has commenced to reside in such precinct at least thirty days before such election shall be entered in such registry, and shall be marked "qualified" or "disqualified," as the case may be; but unless, on the day of election, he shall have resided for thirty full days in such election precinct, he can not vote therein, although otherwise qualified.

Fifth—The headings to the registry book shall be so prepared that the registry shall be made alphabetically, according to the surname of each person applying, but it shall be arranged so that the residences of such persons shall appear in the first column. The register shall be ruled, and one name shall be written on each line, but no names shall be written between the lines. The entries shall be as follows:

First—Under the column “Residence” the name and number of the street, avenue or other location of the dwelling, if there be a definite number, and if there shall not be a number, such clear and definite description of the place of such dwelling as shall enable it to be readily ascertained. If there shall be more than one house at the number given by the applicant as his place of residence, state in which house he resides. And if there be more than one family residing in said house, either the floor on which he resides, or the number, or location of the room or rooms occupied by him, whether front or rear; every floor below the level of the street or ground being designated as the basement; the first floor above such level being designated as the first floor and each floor above that as the second or such other floor as it may be. If there shall be a flat building or an apartment house at the number given, state the number of the flat or apartment, as the case may be, in which he resides.

Second—Under the column “Name,” the name of the applicant, writing the surname first, and given or Christian name after.

Third—Under the column “Nativity,” the state, country, kingdom, empire or dominion, as the fact stated by applicant shall be.

Fourth—Under the subdivision of the general column “Term of Residence,” the periods by days, months or years, stated by the applicant respectively, as to “At Present Address,” “Precinct,” “County,” “State,” and “United States.”

Under the subdivision headed “At Present Address,” the term of applicant’s residence at the street and number given, and if that period is less than thirty days prior to the day of election, then the applicant shall state at what location in the same precinct he resided immediately prior thereto, and the length of time, which statement shall be entered in the column headed “Remarks.”

Fifth—Under the column “Age,” the age of applicant. Under “Naturalized,” the word “Yes,” according to the fact stated.

Sixth—Under the column “Date of Papers,” the date of naturalization, if naturalized, or about the date.

Seventh—Under the column “Court,” the designation of the court in which, if naturalized, such naturalization was had; and, if the name of the court can not be had with certainty, then the name of the place in which such court was located.

Eighth—Under the column “By act of Congress,” the word “Yes,” in case such person, though foreign born, has been made a citizen by act of Congress without taking out his naturalization papers.

Ninth—Under the column “Qualified Voter,” the word “Yes,” or “No,” as the facts shall appear, or be determined by a majority of the board of registry, it being, however, required of them to designate as a qualified voter any male person who, if otherwise qualified, shall not, at the time of making application, be of age: *Provided*, the time when such applicant shall be of the age of twenty-one shall be subsequent to the date of his application, and not later than the day of election immediately following such time of applying; but no

applicant shall be designated as a qualified voter who, having been challenged, has not filed with said board of registry his affidavit of qualification according to the provisions of this act.

Tenth—Under the column "Date of Application," the month, day and year when the applicant presented himself and was adjudged a qualified voter in election precinct.

Eleventh—Under the column "Residence When Last Registered," the name and number of the street or avenue from which applicant was last registered, in the same city, village or town, and the month and year in which the election was held for which such registration was made. If the applicant has not previously been registered in said city, village or town, state "first registration."

§ 5. Said board of registry shall, by noon of the second day following such registry, hang up the register, which shall be known as the public register, at the place of registration, which shall be accessible to the public during all business hours, and the other two registers shall be returned to the board of election commissioners within the time aforesaid. Any voter of the ward, village or town shall be permitted to be present at the place of registration in said ward and shall have the right to challenge any applicant who applies to be registered. And when challenged, such applicant must make oath and sign an affidavit in writing as follows:

"I do solemnly swear that I am a citizen of the United States, am . . . years of age, and that I have resided in the State of Illinois for the period of . . . , in the county of . . . , for the period of . . . , in the . . . precinct of the . . . ward, in the city of . . . , said county and State, for the period of . . . , and at No. . . , . . . street, in said precinct, for the period of . . . , and that I last registered in said city for the . . . election of . . . from No. . . , . . . street, and that I have never been convicted of any crime (or if convicted, state the time and when pardoned by the governor of any state)."

This affidavit shall be signed and sworn to before one of such board of registry, and it shall be preserved and returned to the office of said election commissioners immediately. If said board of registry shall deem such affidavit sufficient, and if the board is convinced that such person is a qualified voter, then he must be admitted to such register as qualified. Blank affidavits of the character aforesaid shall be sent out to the judges of all the precincts, and the judges of election shall furnish the same on demand and administer the oath without criticism. If any judge of election, poll clerk or other person, when such applicant has been challenged, shall designate such person upon any of the registers as a qualified voter before he has made and filed with the board of registry the affidavit of the character aforesaid, such judge of election, poll clerk or other person shall, upon conviction thereof, be adjudged guilty of a misdemeanor and shall be punished by imprisonment in the county jail for not less than ten (10) days nor more than sixty (60) days, or by a fine of not less than one hundred dollars nor more than one thousand dollars, or by both such fine and imprisonment.

And any person claiming to be an elector of any election precinct in such city and who, upon application, is denied to [the] right to be registered as a qualified voter in such precinct, may make and sign an application in writing, under oath, to said board of election commissioners in substance in the following form:

"I do solemnly swear that I,, did on make application to the board of registry of the precinct of ward, of the city of, and that said board refused to register me as a qualified voter in said precinct, that I reside in said precinct, am a duly qualified voter and entitled to vote in said precinct at the next election."

All such applications shall be presented to the board of election commissioners by the applicant in person, between the hours of nine o'clock a. m. and five o'clock p. m., on Tuesday or Wednesday of the second week prior to the week in which such election is to be held.

APPROVED May 11, 1901.

SALARIES OF ELECTION COMMISSIONERS, CHIEF CLERK, ETC.

§ 1. Amends sections 1 and 2 of Article VII, acts of 1885 and 1897.

§ 1. Commissioners and chief clerk—fees and salaries—how drawn—classification of counties.

§ 2. Judges and clerks per diem.

Approved May 11, 1901.

AN ACT to amend sections one (1) and two (2) of Article VII of an act entitled, "An act regulating the holding of elections and declaring the result thereof in cities, villages and incorporated towns in this State," approved June 19, 1885, in force July 1, 1885, and section one (1) amended by act approved June 9, 1897, in force July 1, 1897, and section two (2), as amended by act approved and in force April 1, 1897.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections one (1) and two (2) of Article VII of an act entitled, "An act regulating the holding of elections and declaring the result thereof in cities, villages and incorporated towns in this State," approved June 19, 1885, in force July 1, 1885, and section one (1), amended by act approved June 9, 1897, in force July 1, 1897, and section two (2), as amended by act approved and in force April 1, 1897, be, and the same is hereby, amended so as to read as follows:

§ 1. Commissioners and Chief Clerk—Fees and Salaries Of—Counties Divided into Classes.] No. 1. Such election commissioners and the chief clerk of the board of election commissioners shall be paid by the county, and for the purpose of fixing their fees and compensation, the several counties of this State are divided into three (3) classes, as they are now classified by law, as to fees and salaries. In counties of the first class said election commissioners shall receive a salary of five hundred dollars (\$500), and said chief

clerk a salary of four hundred dollars (\$400) per annum. In counties of the second class said election commissioners shall receive a salary of seven hundred dollars (\$700) and said chief clerk a salary of one thousand two hundred dollars (\$1,200) per annum. In counties of the third class, to-wit: In Cook county, such election commissioners shall receive a salary of two thousand five hundred dollars (\$2,500) and such chief clerk a salary of four thousand dollars (\$4,000) per annum. All expenses incurred by such board of election commissioners shall be paid by such city. Such salaries and expenditures are to be audited by the county judges, and such salaries shall be paid by the county treasurer upon the warrant of such county judge, out of any money in the county treasury not otherwise appropriated, and such expenditures shall be paid by the city treasurer upon the warrant of such county judge, out of any money in the city treasury not otherwise appropriated. It shall also be the duty of the governing authorities of such counties and cities respectively to make provision for the prompt payment of such salaries and expenses, as the case may be.

§ 2. Judges and Clerks to be Paid at the Rate of \$5 per Day.]
No. 2. All judges and clerks of elections in counties of the second and third class under this act shall be allowed and paid at the rate of five (5) dollars per day.

APPROVED May 11, 1901.

FEES AND SALARIES.

BUILDING AND LOAN ASSOCIATIONS.

§ 1. Receivers' fees limited to 3 per cent of funds handled. Attorneys' fees limited to \$20 per day. Proviso. Penalty.	Approved May 10, 1901.
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AN ACT to regulate the fees of court receivers and attorneys' fees in receivership cases of building and loans associations.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That in all cases in the courts of this State wherein receivers or custodians are or may be hereafter appointed to take charge of the assets of any building and loan association, the fees to be allowed for all services, clerk hire and expenses of such receivers or custodians shall not exceed 3 per cent of the funds handled by such receiver or custodian, to be paid out of the assets. Any such receiver may be allowed by the court such further amounts for attorney's fees for services rendered, as the court may determine, not exceeding the sum of twenty dollars per day for actual time of service:

Provided, that in no case shall the fees to be allowed for attorney's services exceed the sum of \$1,000, except as to the separate fees to be allowed in cases of foreclosure of mortgages or trust deeds, which may be allowed in accordance with the terms of mortgage in each particular case. Any receiver or custodian violating any of the pro-

visions of this act shall be fined in any sum not exceeding five hundred dollars (\$500), or imprisonment in the county jail not exceeding thirty days, or both at the discretion of the court.

APPROVED May 10, 1901.

CIRCUIT AND SUPERIOR COURTS—COOK COUNTY.

§ 1. Amends act of 1871 by providing for additional compensation of judges in Cook county.

§ 2. Provides for additional compensation of State's Attorney in Cook county—fees to be paid into county treasury.

§ 3. How paid.

Approved May 10, 1901.

AN ACT to amend an act entitled, "*An act providing for the payment by the county of Cook of further compensation to the judges of the circuit and superior courts and State's attorney of said county, respectively,*" approved April 13, 1871, in force July 1, 1871.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an act entitled, "*An act providing for the payment by the county of Cook of further compensation to the judges of the circuit and superior courts and State's attorney of said county, respectively,*" approved April 13, 1871, in force July 1, 1871, be, and the same is hereby amended to read as follows: That the judges of the circuit and superior courts of Cook county hereafter to be elected shall each be paid by the said county, in addition to the salaries which may be paid to them from the State treasury, such further compensation as will make their respective salaries amount to the sum of \$10,000 per year.

§ 2. That the State's attorney of Cook county hereafter to be elected shall be paid by said county, in addition to the salary which may be paid to him from the State treasury, such further compensation as will make his salary amount to the sum of \$10,000 per year, and shall be in full for all services of the State's attorney of Cook county, and all fees as provided by statute and earned by the State's attorney of Cook county shall be paid into the county treasury of Cook county.

§ 3. That the said compensation shall be paid in equal quarterly installments; and it shall be the duty of the county clerk of said county, at the end of each and every quarter of the year, to draw an order or warrant therefor in favor of each of said judges and State's Attorney, respectively, on the county treasurer of said county, whose duty it shall be to pay the same on presentation properly indorsed.

APPROVED May 10, 1901.

CLERKS OF COURTS—FEES IN COUNTIES OF THE SECOND CLASS.

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| <p>§ 1. Amends act of 1891, fixing per diem of clerks of circuit and probate courts in counties of the first and second class.</p> | <p>Approved May 10, 1901.</p> |
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AN ACT to amend an act entitled, "An act to allow a per diem fee to clerks of the circuit and probate courts in counties of the first and second class," approved June 7, 1895, in force July 1, 1895.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an act to amend an act entitled, "An act to allow a per diem fee to clerks of the circuit and probate courts in counties of the first and second class," be amended to read as follows:

The clerks of the circuit court in counties of the second class shall receive and be allowed as a per diem fee for attendance upon said courts the sum of six dollars per day; and the clerks of the probate court in counties of the second class, and clerks of the circuit court in counties of the first class shall be allowed the same per diem fee for attendance upon their respective courts as are now allowed to clerks of the county court and sheriffs in counties of the second class for such service.

APPROVED May 10, 1901.

COUNTIES CLASSIFIED.

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| <p>§ 1. Amends act of 1874.</p> | <p>Approved May 11, 1901.</p> |
| <p>§ 13. Counties classified—fees and compensation of officers.</p> | |

AN ACT act to amend section thirteen (13) of "An act concerning fees and salaries and to classify the several counties of this State with reference thereto," approved March 29, 1872, in force July 1, 1872, title as amended by act approved March 28, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section thirteen (13) of an act entitled, "An act concerning fees and salaries and to classify the several counties of this State with reference thereto," approved March 29, 1872, in force July 1, 1872, title as amended by act approved March 28, 1874, be, and the same is hereby, amended so as to read as follows:

§ 13. That for the purpose of fixing the fees and compensation of county and township officers in this State, the several counties therein are hereby divided into three classes, according to population as ascertained by the federal census of the year 1900, which classes shall be known as the first, second and third, as follows:

Counties containing a population of not exceeding twenty-five thousand inhabitants, to-wit: Alexander, Bond, Boone, Brown, Cal-

houn, Carroll, Cass, Clark, Clay, Clinton, Crawford, Cumberland, DeWitt, Douglas, Edwards, Effingham, Ford, Franklin, Gallatin, Greene, Grundy, Hamilton, Hardin, Henderson, Jasper, Jersey, Johnson, Kendall, Lawrence, Marshall, Mason, Massac, Menard, Mercer, Monroe, Moultrie, Perry, Piatt, Pope, Pulaski, Putnam, Richland, Saline, Schuyler, Scott, Stark, Union, Wabash, Warren, Washington, Wayne and Woodford, shall belong to, and be known as, counties of the first class.

Counties containing a population over twenty-five thousand and not exceeding one hundred thousand, to-wit: Adams, Bureau, Champain, Christian, Coles, DeKalb, DuPage, Edgar, Fayette, Fulton, Hancock, Henry, Iroquois, Jackson, Jefferson, JoDaviess, Kane, Kankakee, Knox, Lake, LaSalle, Lee, Livingston, Logan, Macon, Macoupin, Madison, Marion, McDonough, McLean, McHenry, Montgomery, Morgan, Ogle, Peoria, Pike, Randolph, Rock Island, Sangamon, Shelby, St. Clair, Stephenson, Tazewell, Vermilion, White, Whiteside, Will, Williamson and Winnebago, shall belong to, and be known as, counties of the second class.

Counties containing a population exceeding one hundred thousand, to-wit: The county of Cook, shall belong to, and be known as, counties of the third class.

The fees and compensation of the several officers hereinafter named shall be as provided by law in the respective classes of the counties to which they belong.

APPROVED May 11, 1901.

FISH AND GAME.

PROTECTION OF GAME.

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| <p>§ 1. Amends act of 1897.</p> <p>§ 17. When and where unlawful to kill, catch or take fish.</p> <p>§ 18. Manner of, and when and where killing, catching and taking fish lawful—Use of nets prohibited.</p> <p>§ 19. Fixed lines, poles and hooks prohibited.</p> | <p>§ 20. Duties of fish commissioners, etc.—Unlawful devices seized—Mode of procedure where unlawful devices seized—No recovery for property seized and destroyed—Appeals and writs of error.</p> <p>§ 21. Penalties for violations.</p> <p>§ 22. Repeal.</p> |
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Approved May 11, 1901.

AN ACT to amend an act entitled, "An act to encourage the propagation, and to secure the protection, of fishes in all the waters under the jurisdiction of the State of Illinois," approved June 11, 1897, in force July 1, 1897, by adding section seventeen (17), eighteen (18), nineteen (19), twenty (20), twenty-one (21), and twenty-two (22) thereto.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an act entitled, "An

act to encourage the propagation and cultivation of fishes in all waters under the jurisdiction of the State of Illinois," approved June 11, 1897, in force July 1, 1897, be, and the same is hereby, amended by adding the following sections thereto:

§ 17. It is hereby declared to be unlawful to kill, catch or take in any of the rivers, creeks, ponds, lakes, sloughs, bayous or other water courses within the jurisdiction of this State, any fish for any purpose, within four hundred feet below any dam, between April 15 and June 15, of each and every year.

§ 18. It shall be unlawful to seine, kill or take any kind of fish whatsoever, except by hook and line and nets, in any of the rivers, creeks, ponds, lakes, sloughs, bayous, or other water courses within the jurisdiction of this State, between the 15th day of April and the 1st day of August of each and every year: *Provided, however*, that it shall be unlawful at any time to take, seine, net or kill, in any of the water or water courses within the jurisdiction of the State of Illinois, by any means whatsoever, except by hook and line, black bass, pike, pickerel or wall eyed pike, commonly known as jack or yellow salmon, at any time: *And, provided, further*, that it shall be unlawful to catch or kill any fish whatsoever, by use of nets, in any of the rivers, creeks, ponds, lakes, sloughs, bayous or water courses within the jurisdiction of this State, between the 15th day of April and the 1st day of June of each and every year: *And, provided, further*, that nothing in this section shall be so construed as relating or applying to Lake Michigan.

§ 19. It shall be unlawful at any time to span or stretch over or in the waters of any inland lake any trout line or any set line, or to place any pole or poles with hooks and lines attached, fastened or stuck in the bottom of such inland lake.

§ 20. It shall be the duty of all of the fish commissioners, wardens, constables and sheriffs to summarily seize and take possession of any device for taking or killing fish herein declared to be unlawful and its use prohibited; and, within forty-eight hours after such seizure and taking, the officer so seizing and taking any such device shall convey the same to the sheriff of the county wherein such device was found, or, if the same be found upon a boundary line between two or more counties, then to the sheriff of either county so bounded, and shall furnish the sheriff, then and there, with information concerning the seizing and taking of the same, and of the ownership of the same, if known, if unknown it shall be so stated, whereupon the sheriff shall detail the facts ascertained to the State's attorney, who shall forthwith file in the office of the county or circuit clerk an information, in the name of the People of the State of Illinois, against the alleged owner or owners thereof, or, if [of] facts, of the seizure and unlawful character of the device; whereupon it shall be the duty of the clerk of the county or circuit court to immediately issue two writs of summons in the name of the People of the State against such alleged owner or owners, or, if the owner or owners be unknown, against the unknown owner or owners thereof, and shall deliver one summons to

the sheriff, to be served if possible, and shall post one summons in a conspicuous place at the court house door in such county, and shall docket such cause with the criminal causes of such court; and upon the expiration of ten days after the posting of such notice the circuit or county court of such county, if then in session, or when next in session thereafter, shall have full jurisdiction thereof upon the clerk's certificate that he posted the notice herein required or the sheriff's return of summons served, or both, and shall proceed to a trial of said cause; and if no plea denying the information be filed therein, the court shall take the information as *prima facie* evidence to support a judgment therein, and shall enter an order that the device subject of the information be condemned and that, upon the expiration of twenty days after the last day of that term of the court, such condemned device be wholly destroyed by the sheriff, which order shall be certified to the sheriff by the clerk upon the adjournment of the court, and be by him returned with the manner of its execution; and, if a plea be entered in said cause, the court shall proceed to determine whether such device be unlawful and its use be prohibited by this act, as in other cases, without a jury, unless demanded; and no other question shall be the subject of issue in any such trial; and shall enter judgment of restitution or condemnation accordingly; and no recovery by the owner or owners, or other person, for the value of such property so seized and destroyed in conformity with this act shall be maintained. Appeals and writs of error shall lie from the judgment of the court in the premises as in other cases.

§ 21. Any person or persons violating any of the provisions of the preceding sections of this act, where no other penalty is provided, shall be deemed guilty of a misdemeanor, and, upon a conviction, shall be fined not less than twenty-five nor more than two hundred dollars for each offense.

§ 22. All acts and parts of acts in conflict with this act are hereby repealed.

APPROVED May 11, 1901

PROTECTION OF GAME.

§ 1. Amends sections 1 and 26, acts of 1889, 1885, 1891 and 1899.

§ 1. Specifies when and how game may be killed—penalty for violations.

§ 2. Repeal.

§ 26. License for non-residents—Secretary of State to issue—fee—number of birds allowed to be taken—hunter's photograph to be attached to license. Repeal.

Approved May 10, 1901.

AN ACT to amend section one (1) and section twenty-six (26) of an act entitled, "An act to provide additional remedies for the protection of game, wild fowl and birds, and to amend, revise and consolidate the amended game law," approved June 1, 1889, and in force July 1, 1889, and the game warden act, approved June 27, 1885, in force July 1, 1885, and the act to prohibit persons from hunting within the enclosures of others without leave, as amended by act approved June 17, 1891, in force July 1, 1891, as amended by act approved April 24, 1899, in force July 1, 1899.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section one (1) and section twenty-six (26) of an act entitled, "An act to provide additional remedies for the protection of game, wild fowl and birds, and to amend, revise and consolidate the amended game law," approved June 1, 1889, and in force July 1, 1889, and the game warden act, approved June 27, 1885, in force July 1, 1885, and the act to prohibit persons from hunting within the enclosures of others without leave, as amended by act [approved] June 17, 1891, in force July 1, 1891, as amended by act approved April 24, 1899, in force July 1, 1899, be amended to read as follows:

§ 1. It is hereby declared to be unlawful to hunt, kill, net, entrap, ensnare or destroy, or to attempt to hunt, kill, net, entrap, ensnare or to destroy, or to have in possession, any wild buck, doe, or fawn or wild turkey between the fifteenth day of January and the first day of September of each and every year, or any pinnated or ruffled grouse, prairie chicken, pheasant or partridge between October first and August thirty-first of each succeeding year, or any mourning dove between the first day of December and the first day of August of each succeeding year, any gray, red, fox, or black squirrel, between the first day of December and the first day of July of each succeeding year, or any jack snipe, wilson snipe, sand snipe or any kind of snipe, or any golden plover, upland plover, or any other kind of plover, between the twenty-fifth day of April and the first day of September of each succeeding year, and it shall be unlawful to kill, hunt, destroy, ensnare or entrap, or attempt to kill, hunt, destroy, ensnare or entrap, or otherwise destroy, any wild goose, duck, brant or other water fowl, at any time between the fifteenth day of April and the first day of September of any year; and it shall be unlawful to hunt, kill, trap, ensnare, or attempt to hunt, kill, trap, ensnare, or to otherwise destroy, any wild goose, brant, duck or rail, or other water fowl between the sunset of any day and the sunrise of the next succeeding day, at any period of the year; and it shall

further be unlawful at any time to hunt, kill, entrap, ensnare, or attempt to hunt, kill, entrap or ensnare, or otherwise destroy, any wild goose, brant, duck, or other water fowl, from any fixed or artificial ambush beyond a natural covering of reeds, canes, flags, wild rice, or other vegetation above the water of any lake, river, bay, inlet or other water course wholly within this State, or with aid or use of any device commonly called sneak boat, sink box, or other device used for the purposes of concealment in the open water of this State. And it shall be further unlawful to shoot, kill, or destroy, or shoot at, any wild goose, brant, or other water fowl, with a swivel gun, or from any sail boat, electric launch, or steamboat, at any time, in any part of the water of any lake, river or bay, or inlet, or other water course wholly within this State: *Provided*, that the animals, fowls and birds mentioned in section 10 of this act shall not be killed for a period of five years from and after the taking effect of this act. Any person or persons so offending shall for each and every offense be deemed guilty of a misdemeanor, and on conviction thereof shall be fined in any sum not less than fifteen dollars nor more than fifty dollars, and costs of suit, and shall stand committed to the county jail until such fine and costs are paid: *Provided*, that such imprisonment shall not exceed 10 days, and the killing of each bird and animal herein specified shall be deemed a separate offense.

§ 2. All acts and parts of acts conflicting herewith are hereby repealed.

§ 26. For the purpose of increasing the game protection fund, and preventing unauthorized persons from killing game and birds, no person, not a resident of the State of Illinois, shall at any time hunt, pursue or kill, with gun, any of the wild animals, fowls or birds that are protected during any part of the year without first having procured a license so to do, and then only during the respective periods of the year when it shall be lawful; said license shall be procured in the following manner:

The applicant shall fill out a blank application, to be furnished by the Secretary of State, stating name, age, occupation and place of residence of applicant; said application shall be subscribed and sworn to by the applicant before any officer authorized to administer oaths in the State of Illinois, and said applicant shall pay to the Secretary of State the sum of ten dollars (\$10) as a license fee, together with the sum of fifty cents as the fee of the Secretary of State for issuing the license, which said license shall bear the seal of the State of Illinois, and such license [licensee] is hereby authorized to take from the State twenty-five (25) birds of all kinds, killed by himself or herself, which shall be carried openly for inspection, together with his or her license; and the license fee above provided for shall be paid to the State Treasurer by the Secretary of State within sixty days after its receipt, and shall be placed to the credit of a fund to be known as the "State game protection fund," and shall be disbursed by the State Treasurer on warrants signed by the Governor of the State and countersigned by the State game commissioner, when such warrants

are accompanied by vouchers signed by the Auditor of Public Accounts, showing the liabilities of the State incurred in the protection of game, wild fowls and birds.

Any such license issued as aforesaid shall entitle the person to whom issued to hunt, pursue and kill game within the State, at any time when it shall be lawful to hunt, pursue and kill such game, and no person to whom a license has been issued shall be entitled to hunt, pursue or kill game in this State without at the time of such hunting, pursuit or killing of game, he or she shall have such license in his or her name and possession, ready to exhibit the same for inspection, and shall at his or her expense attach his or her photograph to such license before using the same, and such license shall be void after the first day of June next succeeding its issuance. Any person found guilty of violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined in any sum not less than twenty-five (25) dollars, nor more than two hundred (200) dollars for each and every offense, and shall stand committed to the county jail until such fine and costs are paid, but such imprisonment shall not exceed ninety days for each one offense; or such person may be proceeded against in an action of debt, in the name of the People of the State of Illinois, for the recovery of the penalty herein prescribed.

All acts and parts of acts conflicting with this act are hereby repealed.

APPROVED May 10, 1901.

GARNISHMENT.

EXEMPTION OF WAGES.

§ 1. Amends Section 14, act of 1897.

§ 14. Who entitled to exemption—
Garnishment, when allowed—
Suit how commenced—Costs—
Judgment when void—Wages,
when retained.

§ 2. Repeal.

Approved May 11, 1901.

AN ACT to amend section fourteen (14) of an act entitled, "An act in regard to garnishment," approved March 9, 1872, in force July 1, 1872, as amended and approved June 14, 1897, and in force July 1, 1897.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section fourteen (14) of an act entitled, "An act in regard to garnishment," approved March 9, 1872, in force July 1, 1872, as amended and approved June 14, 1897, in force July 1, 1897, be, and the same is hereby, amended so as to read as follows:

§ 14. The wages for services of a wage earner who is the head of a family and residing with the same to the amount of fifteen (15)

dollars per week shall be exempt from garnishment. All above the sum of fifteen (15) dollars per week shall be liable to garnishment.

Every employer shall pay to such wage earner such exempt wages not to exceed the sum of fifteen (15) dollars per week of each week's wages earned by him, when due, upon such wage earner making and delivering to his employer his affidavit that he is such head of a family and residing with the same, notwithstanding the service of any writ of garnishment upon such employer, and the surplus only above such exempt wages shall be held by such employer to abide the event of the garnishment suit. If the amount of wages subject to garnishment shall not equal the costs of the garnishment, whatever remains of costs shall be paid by the person bringing the garnishment proceedings, and judgment shall be entered therefor against him, and no judgment for any such deficiency of costs shall go against the wage earner or the defendant. No employer so served with garnishment shall in any case be liable to answer for any amount not earned by the wage earner at the time of the service of the writ of garnishment. Before bringing suit a demand in writing shall first be made upon the wage earner and the employer for the excess above the amount herein exempted, and a copy of such demand shall be left with him and with the employer, having endorsed thereon the time of service, at least twenty-four hours previous to bringing such suit. Such notice shall be filed with the justice, or clerk of the court, with the manner and time of the service of the same endorsed thereon, and the return duly sworn to before some officer authorized to administer oaths, before it shall be lawful to issue a summons in such case, or to require an employer to answer in any garnishee proceedings. Any judgment rendered without said demand being served upon the wage earner, and so proven and filed as aforesaid, shall be void. The excess of wages shall be held by the employer, subject to garnishment by the creditor serving demand, for five (5) days after such service of demand.

§ 2. All acts or parts of acts in conflict herewith are hereby repealed.

APPROVED May 11, 1901.

GUARDIANS AND WARDS.

GUARDIANS OF MINORS.

§ 1. Amends section 4, act of 1872.

Approved April 18, 1901.

§ 4. Guardian shall control ward and manage estate—rights of parents—court to control visitation.

AN ACT to amend section 4 of an act entitled, "An act in regard to guardians and wards," approved April 10, 1872, in force July 1, 1872, as amended by act approved June 25, 1883, in force July 1, 1883.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section four of an act entitled, "An act in regard to guardians and wards," approved April 10, 1872, in force July 1, 1872, as amended by act approved June 25, 1883, in force July 1, 1883, be amended so as to read as follows:

§ 4. The guardian of a minor shall have, under the direction of the court, the custody, nurture and tuition of his ward, and the care and management of his estate; but the parents of the minor, if living, and in case of the death of either of the parents, the surviving parent, they being respectively competent to transact their own business, and fit persons, shall be entitled to the custody of the person of the minor and the direction of his education. The parents of a minor shall have equal powers, rights and duties concerning the minor. In case the father and mother live apart, the court may, for good reason, award the custody and education of the minor to either parent or to some other person. Whenever any person or persons makes a settlement upon or provision for the support or education of any minor child, it shall be competent for the court, in case either the father or the mother of such child be dead, to make such order in relation to the visitation of such minor child by the person or persons so making such settlement or provision as shall to the court seem meet and proper.

APPROVED April 18, 1901.

INSURANCE.

CASUALTY COMPANIES.

§ 1. Amends section 3, act of 1899.

§ 3. Capital stock—amount—how invested—\$100,000 of securities deposited with insurance superintendent for protection of policy holders—withdrawal of securities—companies insuring live stock—capital of \$100,000—\$50,000 to be paid in—deposit of \$25,000 with insurance superintendent for benefit of policy holders—limit on one risk restricted to 5 per cent unless reinsured.

§ 2. Emergency.

Approved May 10, 1901.

AN ACT to amend section 3 of an act entitled, "An act to incorporate and to govern casualty insurance companies, and to control such companies of this State, and of other states doing business in the State of Illinois, and providing and fixing the punishment for the violation of the provisions thereof, and to repeal all laws now existing which conflict therewith," approved April 21, 1899, in force July 1, 1899.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 3 of an act entitled, "An act to incorporate and to govern casualty insurance companies, and to control such companies of this State, and of other states doing business in the State of Illinois, and providing and fixing the punishment for violation of the provisions thereof, and to repeal all laws now existing which conflict therewith," approved April 21, 1899, in force July 1, 1899, be, and the same is hereby, amended to read as follows:

§ 3. No such corporation, for any of the purposes specified in this act shall do business with a capital stock of less than \$100,000, fully paid in, in cash, with an additional \$50,000, fully paid in, in cash, for every kind of insurance, more than one, which it is authorized to do: *Provided*, that it may not do the business named in subdivision two (2), of section 1 hereof, on a capital of less than \$200,000, fully paid in, in cash. Before any corporation commences business, its whole capital must be invested in treasury notes, stocks or bonds of the United States, or of this State, or of cities, villages, towns or counties herein, or in mortgages, being first liens on real estate in this State worth double the amount loaned thereon, exclusive of buildings, unless such buildings are kept insured and the policy held by such corporations; at least \$100,000 worth of which stocks, bonds, and mortgages aforesaid, approved by the insurance superintendent, shall be duly made or assigned to him, in trust for the purposes hereinafter mentioned.

Said insurance superintendent shall hold such securities for the benefit and protection of the policy holders of the corporations, and so long as any such corporation continues solvent shall permit it to collect the interest of dividends thereon, and from time to time with-

draw such securities, or any part thereof, on depositing with the said insurance superintendent other securities of the kind heretofore named, and of equal value with those withdrawn. If such company shall at any time cause all of its unexpired policies to be paid or cancelled, and all its liabilities under such policies thereby be extinguished, then the insurance superintendent, on application of such company, under oath of its president or secretary, on satisfying him, by examination of its books and its officers, under oath, that all of its policies are so paid, cancelled or extinguished, shall deliver up to it such securities: *Provided*, that companies formed for the purpose of insuring live stock against death from any cause, injury or theft, shall only be required to have a subscribed capital of one hundred thousand dollars (\$100,000), of which fifty thousand dollars (\$50,000) shall be paid in, in cash, and shall only be required to make a deposit of twenty-five thousand dollars (\$25,000) with the insurance superintendent before it shall commence business. But no such company shall expose itself to loss on any one risk or hazard to an amount exceeding five per cent of its paid up capital, unless the excess shall be reinsured in some other responsible and reliable company authorized to transact business in this State.

§ 2. WHEREAS, An emergency exists, therefore this act shall be in force from and after its passage.

APPROVED May 10, 1901.

FIRE AND LIGHTNING INSURANCE—TOWNSHIP MUTUAL.

§ 1. Amends act of 1874.

§ 11. Adjustment of losses—References—Disagreement—Appeal to county judge—Compensation of adjusting committee.

§ 12. May borrow money to pay loss—Assessment—Proviso.

Approved May 11, 1901.

AN ACT to amend sections 11 and 12 of "An act to authorize the formation of mutual township fire and lightning insurance companies," approved March 24, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections 11 and 12 of an act entitled, "An act to authorize the formation of township mutual fire and lightning insurance companies," approved March 24, 1874, in force July 1, 1874, be amended to read as follows:

§ 11. Every member of such company who may sustain loss or damage by fire or lightning shall immediately notify the president of such company, or in his absence, the secretary thereof, stating the amount of damage or loss claimed, and if not more than five hundred dollars (\$500), then the president and secretary shall proceed to ascertain the amount of such damage or loss, and proceed to adjust the same. If the claim for damage or loss shall be an amount greater than five hundred dollars (\$500), than the president of such com-

pany, or in case of his absence, then the secretary thereof, shall forthwith appoint a committee of not less than three (3) disinterested members of the company to ascertain the amount of such damage or loss, and the committee thus appointed shall report the amount of such damage or loss to the directors of such company, who shall be convened by the president, or in his absence, by the secretary, and the directors shall approve or reject the report of such committee. If, in either case, there is a failure of the parties to agree upon the amount of such damage or loss, or the directors reject the report of the committee, the claimant shall appeal to the judge of the county court of the county in which the office of the company is located, whose duty it shall be to appoint three (3) persons as a committee of reference, who shall have full authority to examine witnesses, and to determine all matters in dispute, and shall make an award in writing to the president of such company, and such award shall be final. The pay of said committee shall be two dollars (\$2) per day for each day's service so rendered, and four (4) cents for each mile necessarily traversed in the discharge of their duties, which shall be paid by the claimant, unless the award of said committee shall exceed the sum offered by the company in liquidation of such loss or damage, in which case said expenses shall be paid by the company. All adjusting committees shall have the power to administer oaths, examine witnesses and take acknowledgments.

§ 12. Whenever the amount of any loss shall have been ascertained which exceeds in amount the cash funds of the company, the president shall have power to borrow money not to exceed one-tenth of one per cent of all the property insured with which to pay said loss, and when the amount of said loss shall exceed one-tenth of one per cent of all property insured, the president shall convene the directors of said company, who shall make an assessment upon all property to the amount for which each several piece of property is insured, taken in connection with the rate of premium under which it may be classified: *Provided*, that if there be no quorum present, the secretary shall enter the fact upon his journal and the names of the directors present, whereupon the president, secretary and treasurer shall proceed to estimate the rate per cent necessary to cover the loss and expense thereby incurred, and assess the same upon all the insured members of the said company, which assessment shall be valid and shall be collected in the same way as though it had been made by the board of directors, and at the time when any assessment is made the assessment shall be made large enough to pay all losses and all money borrowed.

APPROVED May 11, 1901.

FIRE INSURANCE—COUNTY COMPANIES.

§ 1. Amends act of 1877.

§ 3. Directors, quorum, election of, term, cumulative voting.

§ 11. Adjustment of losses—Adjusting committee—Disagreement—Appeal to county judge—Compensation of adjusters—Powers and duties.

§ 12. May borrow money to meet losses—Assessment.

§ 17. Reports to Insurance Superintendent—Certificate—Fees.

§ 20. Renewal or amendment of charter—Proviso.

Approved May 11, 1901.

AN ACT to amend sections 3, 11, 12, 17, and to add a section thereto to be known as section 20, of "An act to authorize and regulate county fire insurance companies," approved June 2, 1877, in force July 1, 1877.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections 3, 11, 12, 17, [to] be amended to read as follows, and that a section be added thereto to be known as section 20.

§ 3. The number of the directors shall not be less than nine (9) nor more than fifteen (15), a majority of whom shall constitute a quorum to do business, to be elected by the corporators by ballot, of whom one-third shall be elected for one year, one-third for two years and one-third for three years, and until their successors are elected and qualified; in all subsequent elections, except to fill vacancies, one-third of said board of directors shall be elected for three years; said election shall be held at the annual meeting of the company, which shall be on the second Tuesday of January of each year: *Provided*, that any company now incorporated and doing business under this act may at any time so change their mode of electing directors at the annual meeting as to be in conformity with this act. In the election of the first board of directors each corporator shall be entitled to one vote. At every subsequent election every person insured shall be entitled to as many votes as there are directors to be elected and an equal additional number for every risk, or risks, he holds in the company, and may cast the same in person, or by proxy, distributing among the same or a less number of directors to be elected, or accumulating them upon one candidate, as he may see fit.

§ 11. Every member of such company who may sustain loss by fire or lightning shall immediately notify the president of the company, or in his absence, the secretary thereof, stating the amount of damage or loss claimed; if not more than five hundred dollars (\$500), then the president and secretary shall proceed to ascertain the amount of such loss or damage and adjust the same; if the claim for damage or loss shall be an amount greater than five hundred dollars (\$500), then [the] the president of such company, or, in case of his absence, the secretary thereof, shall forthwith convene the directors of such company, whose duty it shall be, when convened, to appoint a committee of not less than three disinterested members of such company to ascertain the amount of damage or loss. If in either case there is a failure of the parties to agree upon the amount of such damage or

loss, the claimant shall appeal to the judge of the county court in the county in which the office of such company is located, whose duty it shall be to appoint three disinterested persons as a committee of reference, who shall have full power and authority to examine witnesses and to determine all matters in dispute, and shall make their award in writing to the president of such company, and such award shall be final. The pay of such committee shall be two dollars (\$2) per day for each day's service so rendered, and four (4) cents for each mile necessarily traversed in discharge of their duties, which shall be paid by the claimant, unless the award of said committee shall exceed the sum offered by the company in liquidation of such loss or damage, in which case said expenses shall be paid by the company. All adjusting committees shall have power to administer oaths, examine witnesses and take acknowledgments.

§ 12. Whenever the amount of any loss shall have been ascertained which exceeds in amount the cash funds of the company, the president shall have the power to borrow money not to exceed one-tenth of one per cent of all the property insured with which to pay said loss, and when the amount of said loss shall exceed one-tenth of one per cent of all property insured, the president shall convene the directors of said company, who shall make an assessment upon all property to the amount for which the several pieces of property is insured, taken in connection with the rate of premium under which it may be classified: *Provided*, that if no quorum be present the secretary shall enter the fact upon his journal and the names of the directors present, whereupon the president, secretary and treasurer shall proceed to estimate the rate per cent necessary to cover the loss and expense thereby incurred, and assess the same upon all insured property of the several members of said company, which assessment shall be valid, and shall be collected in the same way as though it had been made by the board of directors: *Provided*, that at the time said assessment is made said assessment shall be made for an amount sufficient to pay all indebtedness of said company up to the time said assessment is made.

§ 17. It shall be the duty of the president and secretary of every such company, on the first day of January of each year, or within ten (10) days thereafter, to prepare, under their own oath, and to transmit to the insurance superintendent, a statement of the condition of the company on the thirty-first day of December then next preceding in such form as the insurance superintendent may direct. If, upon examination, he is of the opinion that such company is doing business correctly, in accordance with the provisions of this act, he shall thereupon furnish the company his certificate, which shall be deemed authority to continue in business the ensuing year, subject, however, to subsequent provisions of this act. For such examination and certificate the company shall pay one dollar (\$1.) Each company shall pay at the time of organization ten dollars (\$10) for the insurance superintendent's services, all of which shall be paid into the State treasury and applied to the insurance fund.

§ 20. Whenever any county insurance company incorporated under the laws of this State shall at any time within five (5) years previous to the termination of its charter, decide, by a majority of two-thirds of its directors, to extend the period of its corporate existence, or to otherwise amend its charter, the president and secretary of such company shall cause to be filed with the insurance superintendent a statement under the seal of said company, and by them duly attested, stating the fact of the decision of such company to so extend the period of its corporate existence, or to amend its charter, or both, stating particularly the time of such extension and the nature of such amendments, and if it is found conformable to the provisions of this act, and not inconsistent with the laws and constitution of this State, the insurance superintendent shall issue an amended charter in accordance with the vote of the directors of said company, and deliver a certified copy thereof to the company, and upon the same being filed in the office of the clerk of the county in which such company is located, the period of its corporate existence shall be so extended and it shall be authorized to transact any and all business contemplated by such amendments: *Provided, however,* that such company and its charter, when so amended, shall, at all times, be subject to control and modification by the General Assembly and to all laws of this State applicable thereto, and all companies organized under this act may be proceeded against and dissolved in the same manner and upon the same conditions as provided in the case of other insurance companies incorporated under the laws of this State.

APPROVED May 11, 1901.

FRATERNAL BENEFICIARY SOCIETIES.

§ 1. Amends sections 1 and 7 of acts of 1893, 1895, 1897 and 1899.

§ 1. Fraternal beneficiary societies defined—reserve fund—payment of benefit funds—provisions—commercial travelers, society.

§ 7. Organization of societies—medical examinations—examination by insurance superintendent.

Approved May 11, 1901.

AN ACT to amend sections 1 and 7 of an act entitled, "An act to provide for the organization and management of fraternal beneficiary societies for the purpose of furnishing life indemnity or pecuniary benefits to beneficiaries of deceased members, or accident or permanent indemnity disability to members thereof, and to control such societies of this State and other states doing business in this State, and providing and fixing the punishment for the violation of the provisions thereof, and to repeal all laws now existing in conflict therewith," approved and in force June 22, 1893, as amended by an act approved June 1, 1895, in force July 1, 1895, as amended by an act approved and in force May 27, 1897, and further amended by an act approved April 24, 1899, and in force July 1, 1899.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections 1 and 7 of an act entitled, "An act to provide for the organization and management of fraternal beneficiary societies for the purpose of furnishing life indemnity or pecuniary benefits to beneficiaries of deceased members, or accident or permanent indemnity disability to members thereof, and to control such societies of this State and other states doing business in this State, and providing the punishment for violation of the provisions thereof, and to repeal all laws now existing which conflict therewith," approved and in force June 22, 1893, as amended by an act approved June 21, 1895, and in force July 1, 1895, as amended by an act approved and in force May 27, 1897, and further amended by an act approved April 24, 1899, and in force July 1, 1899, be, and the same is hereby, amended to read as follows:

§ 1. A fraternal beneficiary society is hereby declared to be a corporation, society or association formed, organized or carried on for the sole benefit of its members and their beneficiaries, and not for profit. Each society shall have a lodge system, with ritualistic form of work and representative form of government, and may make provisions for the payment of benefits in case of disability and death, or of either, resulting from either disease, accident, or old age, of its members. Any such society, order or association may create, maintain and disburse a reserve fund in accordance with its constitution and by-laws. Such reserve fund, if any, shall represent certain prescribed accumulations or percentage retained for the benefit of its members or their beneficiaries, and no part thereof shall be used for expenses, nor for any purpose except the payment of death and disability claims; the payment of such benefits in all cases being subject to compliance by the member with the contract rules and laws of society: *Provided*, the period in life at which payment of physical disability benefits on account of age may commence shall not be under seventy (70) years. The fund from which the payments of such benefits shall be made, and the fund from which the expenses of such society shall be defrayed, shall be derived from assessments or dues collected from its members. Payments of death benefits shall only be paid to the families, heirs, blood relations, affianced husband or affianced wife of, or to persons dependent upon the member: *Provided*, that a member having no wife or children living may, with the consent of the society, make a charitable institution his beneficiary: *Provided, however*, that societies formed to include only the membership of any religious denomination may be permitted to provide that benefits under their certificates of membership may be paid to religious or charitable institutions. The members of any religious denomination may incorporate under this act, and shall only be required to have a lodge or branch system and a representative form of government.

Membership in such corporation shall be confined to the members of such religious organization. Commercial travelers shall also be allowed to incorporate under the provisions of this act, but member-

ship of such incorporation shall be confined to those actively engaged as commercial travelers, and officers, buyers or sellers for corporations, associations and copartnerships, or individuals who employ commercial traveling men. Such commercial travelers' incorporation shall have a lodge or branch system and representative form of government. All such societies shall be governed by this act, and shall be exempt from the provisions of all insurance laws in this State, and no law hereafter passed shall apply to them unless they be expressly designated therein: *Provided*, that this act shall not be construed to prevent any society having a supreme lodge with separate jurisdiction, which by their law provides for a general relief or reserve fund, for making assessments to pay its pro rata share of such relief or reserve fund, or from receiving their pro rata of any such fund.

§ 7. Any ten or more persons, citizens and voters of this State may associate themselves together for the purpose of forming a corporation under this act; for this purpose they shall make, sign and acknowledge, before any officer authorized to take acknowledgments of deeds in this State, a certificate of association, in which shall be stated the name or title of the proposed society; the object for which it was formed; the plan of doing business clearly and fully defined; the names of the board of officers or managers for the first year, and manner of selecting their successors; the limits as to age of applicants for membership, which shall not exceed sixty years, and that medical examinations are required, and that *bona fide* applications for membership have been secured from not less than five hundred persons, who have each made application for membership in such proposed society and have been duly examined and recommended by a reputable physician: *Provided*, societies that only provide for the insuring against bodily injury, disablement or death resulting from accident, shall not be required to have medical examinations of its members, and have each deposited with the parties asking such charter the sum of one advanced assessment on each one thousand dollars of insurance, or part thereof, provided for in the plan of organization of such society as an advance assessment for mortuary purposes, which certificate of associations and applications, together with the certificate of some solvent bank or banks that all such advanced mortuary funds are deposited therein to be turned over to the treasurer of a subordinate lodge or branch composed of such applicants, after the incorporation of such society, which certificate of association shall be filed with the insurance superintendent, accompanied by a fee of ten dollars. If the insurance superintendent shall find, after careful examination, that the objects of the organization and the plan of doing business are fully and definitely set forth, and are clearly within the provisions of this act, and that the name or title is not the same, or does not so nearly resemble a title in use, as to have a tendency to mislead the public, he shall approve the same, and shall forthwith issue a certificate of organization of the society. Thereupon said society may proceed to transact business according to the plan of its organization.

APPROVED May 11, 1901.

LIFE OR ACCIDENT INSURANCE.

§ 1. Amends act of 1893.

Approved May 11, 1901.

§ 6. May reincorporate, when and how—may change and amend certificate of association—not required to reincorporate.

AN ACT to amend section six of an act entitled, "An act to incorporate companies to do the business of life or accident insurance on the assessment plan, and to control such companies of this State and of other states doing business in this State, and to repeal a certain act therein named, and providing and fixing the punishment for violation of the provisions thereof," approved June 22, 1893, in force July 1, 1893.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section six of an act entitled, "An act to incorporate companies to do the business of life or accident insurance on the assessment plan, and to control such companies of this State and of other states doing business in this State, and to repeal a certain act therein named, and providing and fixing the punishment for violation of the provisions thereof," be amended so as to read as follows:

§ 6. Any existing domestic corporation, transacting the business of life or accident insurance upon the assessment plan, may reincorporate under the provisions of this act, under its existing corporate name, by filing with the insurance superintendent a declaration of their desire so to do, signed and duly acknowledged by a majority of its board of directors, trustees or managers, with a statement in like manner, signed and acknowledged by them, that such corporation, if insuring lives, has accumulated the fund required by section 8 of this act, or if engaged in the business of accident insurance, has accumulated the fund required by section 12 of this act, and that such funds are safely invested and held for the purposes for which the same were accumulated, as provided in the by-laws of such corporation, or any domestic corporation transacting the business of life or accident insurance upon the assessment plan, may change and amend its certificate of association by filing with the insurance superintendent a declaration of their desire so to do, setting forth the proposed change or amendment, which shall be consistent with the provisions of the act hereby amended, signed and duly acknowledged by a majority of its board of directors, trustees or managers, whereupon in either case the insurance superintendent, if approved by him, shall file the same, together with his certificate of such approval, with the Secretary of State, who shall issue to said corporation a certificate of such reincorporation or amendment under the seal of the State of Illinois, and attach thereto copies of all papers so filed with him by the insurance superintendent, and the same shall be recorded in the recorder's office of the county where the original certificate of incorporation was recorded, and such corporation, if reincorporated, shall thereupon be deemed to be incorporated under the provisions of this act; or in case of proposed change, such certificate of associa-

tion shall thereupon be deemed so changed and amended. It shall not be obligatory upon any such existing corporation to reincorporate hereunder, and any such domestic corporation may continue to exercise all the rights, powers and privileges not inconsistent with this act, pursuant to its articles of incorporation, the same as if incorporated under this act.

APPROVED May 11, 1901.

MUTUAL WIND, CYCLONE OR TORNADO COMPANIES.

§ 1. Manner of increasing territory—Pro- | Approved May 10, 1901.
viso.

AN ACT *to provide a means of increasing the territory of any mutual wind, cyclone or tornado insurance company in the State of Illinois.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That any number of persons, not less than five (5) and collectively owning property to the value of not less than five thousand dollars (\$5,000), upon which they wish to carry insurance, residing in any county contiguous to any district mutual wind, cyclone or tornado insurance company, may, by petitioning such company, have said county in which they reside added to the company so petitioned, and upon receiving such application the officers of such company shall certify to the State insurance commissioners their desire to add such territory to the company so petitioned, and upon receiving satisfactory evidence of such contemplated increase of territory, the State insurance commissioner shall issue to such company a certificate of the increase of such territory so petitioned, and the company to which such territory is added may thereafter transact an insurance business in such added territory the same as in the territory embraced within the original charter of such company: *Provided*, the aggregate number of such counties in any district mutual wind, cyclone, or tornado insurance company shall in no case exceed twenty-five (25).

APPROVED May 10, 1901.

MUTUAL WIND, CYCLONE OR TORNADO COMPANIES.

§ 1. Manner of increasing territory.] | Approved May 10, 1901.

AN ACT *to provide additional means of increasing territory of any mutual wind, cyclone, tornado or fire insurance company in the State of Illinois.*

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That any number of persons, not less than ten (10), who shall certify that they collectively own property of not less than fifteen thousand dollars (\$15,000) in value

which they desire to have insured, residing in any congressional or political township which shall not already be in some township, mutual wind, cyclone, tornado or fire insurance company, may petition any township insurance company already organized, to which said township may be contiguous, praying to have said township added to and embraced in said township insurance company. Said petition shall be presented at any annual meeting of said company, previous notice having been given to all the members thereof, and if two-thirds of the members of said company present and voting at said annual meeting consent to the prayer of the petition then the territory so petitioned for shall be accepted and received into said organization. When thus accepted and received by such township organization, the secretary shall at once notify the insurance superintendent, stating the name of the township and the date the acceptance was so made.

APPROVED May 10, 1901.

MUTUAL WIND STORM, CYCLONE OR TORNADO COMPANIES.

§ 1. Amends sections 3, 8, 10, 11 and 14, Act of 1893.

§ 3. Election of directors—number—term of office—election held annually—who entitled to vote.

§ 8. What property may be insured—term of policy—limitation of amount. Liability of members.

§ 10. Notice of loss—adjustment—appeals to county court—committee of appeals—finding to be final—pay of committee.

§ 11. Payment of losses when in excess of cash on hand.

§ 14. Annual statements by the secretary.

Approved May 10, 1901.

AN ACT to amend sections three (3), eight (8), ten (10), eleven (11) and (14) of an act entitled, "An act authorizing the organization and to regulate district mutual wind storm, cyclone or tornado insurance companies," approved June 15, 1893, in force July 1, 1893.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections three (3), eight (8), ten (10), eleven (11) and fourteen (14) of an act entitled, "An act authorizing the organization and to regulate district mutual wind storm, cyclone or tornado insurance companies," approved June 15, 1893, in force July 1, 1893, be amended so as to read as follows:

§ 3. The number of directors shall not be less than nine (9) nor more than fifteen (15), a majority of whom shall constitute a quorum to do business, to be elected by ballot from the corporators, and to hold their office until their successors are elected and qualified. On the election of the first board of directors each corporator shall be entitled to vote in the manner designated. All subsequent elections, except to fill vacancies, shall be held at the annual meeting of the company, which shall be on the third Tuesday in January in each year, and every person insured shall be entitled to cast in person, or by proxy, by ballot, one vote for each of the directors to be elected.

§ 8. Such company may issue policies on dwellings, barns or other farm buildings, churches or school houses, town halls and such property as may be properly contained therein; also, on horses and cattle on the premises of the assured and anywhere in the territory of the company, for any time not exceeding five (5) years, and not to exceed beyond the limit duration of the charter, and for an amount not exceeding three thousand dollars (\$3,000) on any one building and contents. All persons so insured shall give their obligations to the company, binding themselves, their heirs, and assigns to pay their *pro rata* share to the company of the necessary expenses and of losses by wind storms, cyclones or tornadoes, which may be sustained by any member thereof during the time for which their respective policies are written, and they shall also, at the time of effecting the insurance, pay such per centage in cash and such other charges as may be required by the rules or by-laws of the company.

§ 10. Every member of such company who may sustain loss or damage by wind storms, cyclones or tornadoes shall immediately notify the president of the company, or, in his absence, the secretary thereof, stating the amount of loss or damage claimed, and, if not more than five hundred dollars (\$500), then the president and secretary shall proceed to ascertain the amount of such loss or damage and adjust the same. If the claim for damage or loss shall be an amount greater than five hundred dollars (\$500), then the president of such company, or, in case of his absence, the secretary thereof, shall forthwith appoint a committee of not less than three (3) members of such company to ascertain the amount of such damage or loss, and the committee thus appointed shall report the amount of such damage or loss to the directors of such company, who shall be convened by the president, or, in his absence, by the secretary thereof, and the directors shall approve or reject the report of such committee. If in either case there is a failure of the parties to agree upon the amount of such damage or loss, or the directors reject the report of the committee, the claimant shall appeal to the judge of the county court in the county in which the office of such company is located, whose duty it shall be to appoint three (3) disinterested persons as a committee of reference, who shall have full authority to examine witnesses and to determine all matters in dispute, and shall make their award in writing to the president of the company, and such award shall be final. The pay of such committee shall be two dollars (\$2) per day for each day's service so rendered, and four (4) cents for each mile necessarily traversed in the discharge of their duties, which shall be paid by the claimant, unless the award of such committee shall exceed the sum offered by the company in liquidation of such loss or damage, in which case said expenses shall be paid by the company. All adjusting committees shall have power to administer oaths, examine witnesses and take acknowledgments.

§ 11. Whenever the amount of any loss shall have been ascertained which exceeds in amount the cash funds of the company, the president shall have the power to borrow money not to exceed one-

tenth of one per cent of all property insured with which to pay said loss, and when the amount of said loss shall exceed one-tenth of one per cent of all property insured, convene the directors of the company, who shall make an assessment of such amount upon all property, distributing the same *pro rata* against such several pieces of property: *Provided*, that if no quorum be present, the secretary shall enter the fact upon his journal, and the names of the directors present, whereupon the president, secretary and treasurer shall proceed to estimate the rate per cent necessary to cover the loss and expense thereby incurred, and assess the same upon all the insured property of the several members of said company, which assessment shall be valid and shall be collected in the same manner as though it had been made by the board of directors: *Provided*, that at the time said assessment is made, said assessment shall be made for an amount sufficient to pay all indebtedness of said company up to the date of said assessment.

§ 14. It shall be the duty of the secretary to prepare an annual statement showing the condition of such company on the 31st day of December in each year, and present the same at the annual meeting.

APPROVED May 10, 1901.

JURORS.

EXEMPTIONS FROM JURY SERVICE.

§ 1. Amends act of 1874.

Approved May 11, 1901.

§ 4. Who exempt.

AN ACT to amend "*An act concerning jurors, and to repeal certain acts therein named,*" approved and in force February 11, 1874, R. S. 1874, p. 630.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section four be amended as follows:

§ 4. Exemptions.] The following persons shall be exempt from serving as jurors, to-wit: The Governor, Lieutenant Governor, Secretary of State, Auditor of Public Accounts, Treasurer, Superintendent of Public Instruction, Attorney General, members of the General Assembly during their term of office, all judges of courts, all clerks of courts, sheriffs, coroners, postmasters, mail carriers, practicing attorneys, all officers of the United States, officiating ministers of the gospel, school teachers during the term of school, practicing physicians, registered and assistant pharmacists, constant ferrymen, mayors of cities, policemen, active members of the fire department, embalmers, undertakers and funeral directors actively engaged in their business: *Provided*, that every fireman who shall have faith-

fully and actively served as such in any volunteer fire department in any city in this State for the term of seven years, be exempt from serving on juries in all courts.

APPROVED May 11, 1901.

SELECTION AND QUALIFICATIONS OF JURORS.

§ 1. Amends section 2, act of 1874.

Approved May 11, 1901.

§ 2. County board to select in certain counties—Jury commissioners to select in certain cases—Qualifications of jurors.

AN ACT to amend section two (2) of an act entitled, "*An act concerning jurors, and to repeal certain acts therein named,*" approved and in force February 11, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section two (2) of an act entitled, "*An act concerning jurors, and to repeal certain acts therein named,*" approved and in force February 11, 1874, be amended to read as follows:

§ 2. At the meeting of the county board in the respective counties in this State containing a population of not more than 250,000, in September, in the year 1874, and in each year thereafter, such board shall select from such list a number of persons equal to one hundred (100) for each trial term of the circuit and other courts of record, except county courts, which may be provided by law, to be held during the succeeding year, to serve as petit jurors. In counties having a population of more than 250,000 the persons to serve as petit jurors shall be selected by the jury commissioners, as provided by law: *Provided*, that the persons selected to serve as jurors in courts of record having jurisdiction only in and for cities shall be selected from the body of the county in the same manner as jurors are selected for the circuit court. Jurors in all counties in Illinois must have the legal qualifications herein prescribed, and shall be chosen a proportionate number from the residents of each town, or precinct, and such persons only as are:

First. Inhabitants of the town, or precinct, not exempt from serving on juries.

Second. Of the age of twenty-one (21) years, or upwards, and under sixty-five (65) years old.

Third. In the possession of their natural faculties, and not infirm or decrepit.

Fourth. Free from all legal exceptions, of fair character, of approved integrity, of sound judgment, well-informed, and who understand the English language.

APPROVED May 11, 1901.

LABOR.

EMPLOYMENT OF WOMEN AND CHILDREN.

§ 1. Amends sections 4 and 9, act of 1897.

§ 4. Number of working hours per day and week. All establishments subject to factory inspectors, and employing women and girls, to provide seats.

§ 9. Penalty for violation of provisions of act.

Approved May 10, 1901.

AN ACT to amend sections four (4) and nine (9) of an act entitled, "An act to regulate the employment of children in the State of Illinois, and to provide for the enforcement thereof," approved June 9, 1897, in force July 1, 1897.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section four (4) and nine (9) of an act entitled, "An act to regulate the employment of children in the State of Illinois, and to provide for the enforcement thereof," approved June 9, 1897, in force July 1, 1897, be, and the same and hereby, amended so as to read as follows:

§ 4. No person under the age of sixteen years shall be employed or suffered to work for wages at any gainful occupation more than sixty hours in any one week, nor more than ten hours in any one day. All establishments subject to factory inspection, where girls and women are employed, shall provide suitable seats for the use of the girls and women, and they shall be permitted the use of such seats when not necessarily engaged in their active duties.

§ 9. Any person, firm or corporation, agent or manager, superintendent or foreman, of any firm or corporation, who, whether for himself or for such firm or corporation, or by himself or through sub-agents or foreman, superintendent or manager, shall violate or fail to comply with any of the provisions of this act, or shall refuse admittance to premises or otherwise obstruct the factory inspector or deputy factory inspectors in the performance of their duties, as prescribed by this act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than ten dollars nor more than one hundred dollars, or imprisonment in the county jail not less than ten days nor more than thirty days, for each offense, or both fine and imprisonment, in the discretion of the court, and shall stand committed until such fine and costs are paid.

APPROVED May 10, 1901.

LIBRARIES.

SITE GRANTED JOHN CRERAR LIBRARY, CHICAGO.

Preamble.

- § 1. Grants site in Grant Park, Chicago—boundaries of site—consent of abutting property owners—statue of Lincoln may be erected.
- § 2. Must always remain a free public library.
- § 3. Construction must begin within three years—fire-proof, etc.

- § 4. Grounds to be kept in attractive condition and free to public.
- § 5. Mayor and comptroller to be ex-officio trustees—by-laws must provide for compliance with section 5.

Approved March 29, 1901.

AN ACT to authorize the John Crerar Library to erect and maintain a free public library on Grant Park, commonly called Lake Park, or Lake Front Park, in the City of Chicago.

WHEREAS, John Crerar, by his last will, endowed for all time a free public library, to be located in Chicago, to be known as "The John Crerar Library," which library has been duly organized in accordance with said will and under the provisions of an act entitled, "An act to encourage and promote the establishment of free public libraries in cities, villages and towns of this State," approved June 17, 1891, and in force July 1, 1891; and,

WHEREAS, For the past five years said library has been occupying temporary quarters in Chicago, and the growth of the library and of its patronage by the public require its removal within the near future into a permanent, adequate and fire-proof building; and,

WHEREAS, The interests and convenience of the public will be best subserved by placing said building on Grant Park, commonly called Lake Park or Lake Front Park, near the Chicago public library, inasmuch as the two institutions now co-operate in subserving the interests and welfare of the public, and inasmuch as no other location for said building can be procured so convenient to the public and so accessible from all parts of the city; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the John Crerar Library be, and it is hereby, authorized to take possession of that part of the tract of land in Chicago named Grant Park, commonly known as Lake Park or Lake Front Park, bounded on the north by the south line of Madison street, extended east; on the east by the right of way of the Illinois Central railroad; on the south by the north line of Monroe street, extended east, and on the west by the east line of Michigan avenue, and to erect and maintain thereon, or on such part thereof as may be selected by said library, a free public library building and the necessary extensions thereto from time to time, under and in pursuance of the power and authority conferred by an act entitled, "An act to encourage and promote the establishment of free public libraries in cities, villages and towns of this State," ap-

proved June 17, 1891, and in force July 1, 1891, and all necessary powers and authority to the board of directors, trustees or managers of said library are hereby granted for carrying the foregoing into effect: *Provided*, the said library shall procure the consent of such abutting property owners as have the right to object to the erection of said library building and the possession and use of said land for library purposes, before beginning the construction of said building: *And, provided further*, that the trustees of the fund bequeathed by John Crerar for the erection of a colossal statue of Abraham Lincoln in Chicago, if they so elect, shall have the right to place said statue upon any part of said tract of land which is not to be occupied by said library building or its proposed extensions.

§ 2. The John Crerar Library shall always remain a free public library, open at all times to the public subject to the reasonable regulations established from time to time by its board of directors, trustees or managers; and it is hereby expressly provided that, if at any time the building herein authorized to be erected upon the premises described in this act shall cease to be maintained and used as a free public library, as aforesaid, then, in such event, the rights herein granted to the said The John Crerar Library shall cease and determine, and the grant herein made shall become null, void and of no effect.

§ 3. The John Crerar Library shall, within three years from the passage of this act, begin the construction of said library building, which shall be fire-proof, substantial and appropriate for public library purposes.

§ 4. Such part of the land herein granted as shall not be occupied by said library building and its extensions, and said statue of Abraham Lincoln, shall be kept by said library at its own expense in suitable and attractive condition, similar to the manner in which other parts of Grant park, commonly called Lake park or Lake Front park are kept to the south of Monroe street, and shall at all times be free to the public subject to the reasonable regulations pertaining to the use of other parts of Grant park, commonly called Lake park or Lake Front park by the public.

§ 5. The mayor and comptroller of the city of Chicago shall, by virtue of their office, be and become members of the board of directors, trustees or managers of The John Crerar Library, and proper provisions shall be made, as soon as practicable, in the by-laws or rules of said library to carry into effect the provisions of this section.

APPROVED March 29, 1901.

CONSTRUCTION OF LIBRARY BUILDINGS.

§ 1. Amends section 16, acts of 1872 and 1891. | Approved May 10, 1901.

§ 16. Construction of building—renting
portion of—board may borrow
money—limit—tax levy—Act
does not apply to cities of over
100,000.

AN ACT to amend section 16 of an act entitled, "*An act to authorize cities, incorporated towns and townships to establish and maintain free public libraries and reading rooms,*" approved and in force March 7, 1872, as amended by act approved June 19, 1891, in force July 1, 1891.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 16 of an act entitled, "*An act to authorize cities, incorporated towns and townships to establish and maintain free public libraries and reading rooms,*" approved and in force March 7, 1872, as amended by act approved June 19, 1891, in force July 1, 1891, be amended so as to read as follows:

§ 16. If the board of directors shall think best, they may construct the building so that a portion thereof may be rented, and may at any time during the construction thereof borrow money and execute a mortgage on the lot and building not exceeding one-half the value thereof, and the money so obtained shall be used exclusively in the completion of said building. The levy of a tax hereunder shall not be included in the aggregate amount of taxes as limited by section one (1) of article eight (8) of "*An act for the incorporation of cities and villages,*" approved April 10, 1872, and amendatory acts thereto, nor shall it affect any appropriation made, or to be made, for the support of the library. This act shall not apply to any city in this State having over one hundred thousand inhabitants.

APPROVED May 10, 1901.

FREE PUBLIC LIBRARIES AND READING ROOMS.

§ 1. Amends section 1, acts of 1872 and 1897. | Approved May 10, 1901.

§ 1. Establishment of—tax for—pro-
viso.

AN ACT to amend section one of an act entitled, "*An act to authorize cities, incorporated towns and townships to establish and maintain free public libraries and reading rooms,*" approved and in force March 7, 1872, as amended by an act approved June 10, 1897, and in force July 1, 1897.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section one of "*An act to authorize cities, incorporated towns and townships to establish and maintain free public libraries and reading rooms,*" approved and in force March 7, 1872, as amended by an act approved June 10, 1897, in force July 1, 1897, be amended so as to read as follows, to-wit:

§ 1. That the city council of each incorporated city, whether organized under general law or special charter, shall have power to establish and maintain a public library and reading room for the use and benefit of the inhabitants of such city, and may levy a tax of not to exceed two mills on the dollar annually on all the taxable property in the city: *Provided*, that in cities of over one hundred thousand inhabitants, after the year 1896, such tax shall not exceed one mill on the dollar annually, such tax to be levied and collected in like manner with the general taxes of said city, and to be known as a library fund: *Provided*, that said annual library tax in cities of over two thousand inhabitants shall not be included in the aggregate amount of taxes as limited by section one (1) of article eight (8) of "An act for the incorporation of cities and villages," approved April 10, 1872, and the amendatory acts thereto, or by any provision of any special charter under which any city in this State is now organized.

APPROVED May 10, 1901.

PURCHASE OF LIBRARY SITES.

§ 1. Amends section 13, act of 1872.

§ 13. Authorizes board of directors to purchase sites and erect buildings—Cost to be spread over not more than 20 years—Approval of council—Appropriations—5 mill tax.

§ 2. Emergency.

Approved March 30, 1901.

AN ACT to amend section thirteen (13) of an act entitled, "An act to authorize cities, incorporated towns and townships to establish and maintain free public libraries and reading rooms," approved and in force March 7, 1872, as amended by act approved June 19, 1891, in force July 1, 1891.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section thirteen (13) of an act entitled, "An act to authorize cities, incorporated towns and townships to establish and maintain free public libraries and reading rooms," approved and in force March 7, 1872, as amended by act approved June 19, 1891, in force July 1, 1891, be amended so as to read as follows:

§ 13. Whenever any board of directors of any public library, organized under the provisions of the act to which this is an amendment, shall determine to erect a building to be used for their library, or to purchase a site for the same, or both, or to accumulate a fund for the erection of such building, or to pay for a library site, or both, they may do as follows:

The directors shall cause a plan for such building to be prepared and an estimate to be made of its cost, or if for the purchase of a site, an estimate of its cost; they may then determine the time or years over

which they will spread the collection of the cost of said building or site, or both, not exceeding twenty (20) years, and shall make a record of their said proceedings and transmit a copy thereof to the city council for its approval.

If the council shall approve the action of the board, the board shall divide the total cost of said building or site, or both, into as many parts as they shall determine to spread the cost of the collection thereof, and shall certify the amount of one of said parts to the city council each and every year during the time or term over which they shall have determined to spread the collection of the cost of said building, or site, or both.

The city council on receiving the said last mentioned certificate shall in its next annual appropriation bill include the amount so certified, and shall levy and collect a tax to pay the same with the other general taxes of the city: *Provided*, the said levy shall not exceed five (5) mills on the dollar in any one year and shall not be levied oftener than for the number of years into which the library board shall have divided the costs of said building, or site, or both; and when said sum herein mentioned shall have been collected the said tax shall cease.

§ 2. WHEREAS, An emergency exists, therefore this act shall take effect and be in force from and after its passage.

APPROVED March 30, 1901.

LICENSE.

PEDDLER'S LICENSE GRANTED TO EX-UNION SOLDIERS AND SAILORS WITHOUT FEE.

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| <p>§ 1. Permits ex-union soldiers and sailors to peddle in this State without license.</p> <p>§ 2. License to be granted on presentation of certificate of discharge—penalty for refusing to issue license.</p> | <p>Approved May 11, 1901.</p> |
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AN ACT permitting all ex-union soldiers and sailors, honorably discharged from the military or marine service of the United States, the right to vend, hawk and peddle goods, wares, fruits or merchandise not prohibited by law, in any county, town, village, incorporated city or municipality in the State of Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: That on and after the passage of this act all ex-union soldiers and sailors, honorably discharged from the military or marine service of the United States, shall be permitted to vend, hawk and peddle goods, wares, fruits or merchandise not prohibited by law, in any county, town, village, incorporated city or*

municipality within this State without a license: *Provided*, said soldier or sailor is engaged in the vending, hawking and peddling of said goods wares, fruits or merchandise for himself only.

§ 2. Upon the presentation of his certificate of discharge to the clerk of any county, town, village, incorporated city or municipality in this State, and showing proofs of his identity as the person named in his certificate of honorable discharge, the clerk shall issue to said ex-union soldier or sailor a license, but such license shall be free, and said clerk shall not collect or demand for the county, town, village, incorporated city or municipality any fee therefor. Any clerk of any county, town, village, incorporated city or municipality in this State who shall violate any of the foregoing provisions of this act, by failing or refusing to comply with such provisions, as herein directed, shall be fined in a sum not less than ten dollars (\$10) nor more than fifty dollars (\$50), to which may be added imprisonment in the county jail not exceeding ten (10) days.

APPROVED May 11, 1901.

MEDICINE AND SURGERY.

FRAUDULENT REPRESENTATIONS OF PRACTITIONERS.

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| <p>§ 1. Prohibits practicing medicine in name of another physician.</p> <p>§ 2. Penalty for violation.</p> | <p>Approved May 11, 1901.</p> |
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AN ACT to prohibit physicians from practicing medicine in the name of another physician, or by holding themselves out as other physicians, for the purpose of imposing upon or defrauding any other person, in this State.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That it shall be unlawful for any physician to practice medicine within this State in the name of another physician, or to hold himself out as another physician by advertisements, bills, posters or otherwise, for the purpose of imposing upon or defrauding any other person.

§ 2. Any person who shall violate the provisions of this act shall be subject to a fine of not less than five hundred dollars for the first offense, and imprisonment for a period of six months in the county jail of the county in which the offense is committed for each offense committed thereafter.

APPROVED May 11, 1901.

PHARMACY—PRACTICE REGULATED.

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| <p>§ 1. Requires registration—Penalty—Proviso.</p> <p>§ 2. Assistant must be registered—Penalty.</p> <p>§ 3. Drug store and pharmacy defined.</p> <p>§ 4. Qualification of registered pharmacist—Age—Examination—Registration in other states—Fee—Second examination.</p> <p>§ 5. Registration on time service—Age—Experience—Fee—Certificate—Limitation.</p> <p>§ 6. Assistant pharmacist—Qualifications—Age—Character—Experience—Habits—Examination—Fee—Certificate—Privileges.</p> <p>§ 7. Apprentice—Qualifications—Certificate—Fee.</p> <p>§ 8. Annual registration fee—Default—Penalty—Display of certificate—Penalty.</p> | <p>§ 9. Board of Pharmacy—Appointment term, vacancies, reports.</p> <p>§ 10. Organization of board—Duties of secretary and treasurer—Duties of board—Examinations—Prosecutions—Annual meetings in Chicago and Springfield—By-laws—Register—Quorum.</p> <p>§ 11. Secretary—Salary, expenses—Members of board—Compensation, reports.</p> <p>§ 12. Labels required—Proviso—Penalty.</p> <p>§ 13. False registration—Penalty.</p> <p>§ 14. Adulteration of drugs—Penalty—State Analyst—Prosecutions—Standard of purity.</p> <p>15. Prosecutions—Duty of State's attorney—Disposition of penalties collected.</p> <p>§ 16. Repeals act of 1881—Proviso.</p> |
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Approved May 11, 1901.

AN ACT to regulate the practice of pharmacy in the State of Illinois, to make an appropriation therefor, and to repeal certain acts therein named.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That it shall be unlawful for any person, not a registered pharmacist within the meaning of this act, to open or conduct any pharmacy, dispensary, drug store, apothecary shop, or store, for the purpose of retailing, compounding or dispensing drugs, medicines or poisons, and any person violating the provisions of this section shall be liable to a penalty of not less than twenty nor more than one hundred dollars for every such violation: *Provided, however,* that nothing in this act will prevent any person or persons owning a drug store or pharmacy who shall employ and place in active and personal charge of the same a registered pharmacist, and that nothing herein contained shall apply to nor in any manner interfere with the practice of any physician, or prevent him from supplying to his patients such articles as may seem to him proper; nor with the exclusively wholesale business of any wholesale druggist: *Provided,* that nothing contained in this act shall apply to the sale of patent or proprietary preparations when sold in original and unbroken packages.

§ 2. That it shall be unlawful for the proprietor of any drug store or pharmacy to allow any person in his employ, except a registered pharmacist or registered assistant pharmacist, to compound, recommend, dispense, or sell at retail, drugs, medicines or poisons, or except an apprentice under the immediate supervision of a registered pharmacist as hereinafter provided. Any person violating the provisions of this section shall be liable to a fine of not less than twenty nor more than one one hundred dollars for each and every such offense.

§ 3. The term drug store or pharmacy shall for all purposes of this act be construed to mean a shop, store or other place of business where drugs, medicines or poisons are compounded, dispensed, or sold at retail.

§ 4. Registered pharmacists by examination must be persons not less than 21 years of age, who have had four years' practical experience in compounding drugs in drug stores where the prescriptions of medical practitioners are compounded, or physicians holding certificates from the State board of health, and have passed a satisfactory theoretical and practical examination before the State Board of Pharmacy hereinafter mentioned. The said board may, in their discretion, grant certificates of registration to such persons as shall furnish with their application satisfactory proof that they have been registered by examination in some other state: *Provide*l, that such other state shall require a degree of competency equal to that required of applicants in this State. Every applicant for registration as a registered pharmacist shall pay to the secretary of the board the sum of five dollars at the time of filing the application. The payment of said sum of money as aforesaid shall entitle the applicant to take a second examination, in case he fail in the first, but no more: *Provided*, said second examination is taken within six months of the first; and upon the payment of an additional five dollars, in case the applicant passes a satisfactory examination, the secretary of the board of pharmacy shall issue to him a certificate as a registered pharmacist.

§ 5. Registered pharmacists on time service must be a person not less than 23 years of age, who shall furnish satisfactory evidence to the State board of pharmacy that they have had five years' practical experience in compounding drugs in a drug store or pharmacy where the prescriptions of medical practitioners are compounded. The said board will have the right to refuse registration to applicants who do not furnish satisfactory evidence of their competency. Each applicant for registration under this section shall pay to the secretary of the board the sum of five dollars at the time of filing said application. The payment of said sum of money as aforesaid shall entitle the applicant to take a second examination, in case he fail in the first, but no more; providing said second examination is taken within six months of the first; and upon the payment of an additional five dollars, in case the applicant passes a satisfactory examination, the secretary of the board of pharmacy shall issue to him a certificate as a registered pharmacist. Said certificate shall be operative in and apply to the town, place or locality for which granted and no other.

§ 6. Any person shall be entitled to registration as an assistant pharmacist who is of the age of 18 years, of good moral character, temperate habits, and has had three years' service under a registered pharmacist, and the time of attendance at any recognized school of pharmacy shall be accredited on the above time, and shall pass a satisfactory practical and theoretical examination before the State board of pharmacy. Each applicant for registration as assistant

pharmacist shall pay to the said board the sum of five dollars when said application is filed. The payment of said sum of money as aforesaid shall entitle the applicant to take a second examination, in case he fail in the first, but no more: *Provided*, said second examination is taken within six months of the first; and upon the payment of an additional five dollars, in case the applicant passes a satisfactory examination, the secretary of the board of pharmacy shall issue to him a certificate as a registered assistant pharmacist. Said board shall have the right to refuse registration to applicants whose examinations and credentials are not satisfactory evidence of their competency. Any assistant pharmacist shall have the right to act as clerk or salesman in a drug store or pharmacy during the temporary absence of the registered pharmacist.

§ 7. It shall be the duty of registered pharmacists who take into their employ an apprentice for the purpose of becoming a pharmacist to require said applicant to at once apply to said board of pharmacy for registration as apprentice, and the said board of pharmacy shall have the right to require such an examination as shall establish the educational qualifications of the applicant, and the date of experience of applicants for assistant, or registered pharmacists, shall be computed from the date of registration as apprentice. The board of pharmacy shall furnish proper blanks for this purpose and issue a certificate of registration as a registered apprentice upon the payment of two dollars.

§ 8. Every registered pharmacist, who desires to continue the practice of his profession, shall annually thereafter, during the time he shall continue in such service, on such dates as the board of pharmacy may determine, of which date he shall have thirty days' notice by said board, pay to the secretary of the board a registration fee, to be fixed by the board, but which shall in no case exceed \$1.50, for which he shall receive a renewal of such registration. The failure of any registered pharmacist to pay said fee shall not deprive him of his right to renewal upon payment thereof; nor shall his retirement from the profession deprive him of the right to renew his registration, should he within five years thereafter wish to resume the practice, upon the payment of said fees. Registered assistants, upon receiving notice as aforesaid, shall, if they desire to renew their registration, pay to the secretary of said board an annual fee of one dollar: *Provided, however*, that the board of pharmacy may refuse registration, or may suspend the certificates of registered pharmacists or assistant pharmacists who are proven to be so addicted to the excessive use of stimulants or narcotics as to render them unsafe to handle or sell drugs, medicines and poisons. Every certificate of pharmacy granted under this act shall be conspicuously exposed in the pharmacy to which it applies, and the name of the registered pharmacist who conducts the drug store or pharmacy shall be conspicuously displayed over the door or department. Any persons violating the provisions of this section shall be liable, upon conviction thereof, to pay a penalty of not less than twenty dollars nor more than fifty dollars.

§ 9. The Governor, with the advice and consent of the Senate, shall appoint five persons from among such competent registered pharmacists in the State as have had ten years practical experience in the dispensing of physicians' prescriptions, and who are actively engaged in the practice of their profession, who shall constitute the board of pharmacy. The persons so appointed shall hold their offices for five years: *Provided*, that the terms of the office shall be so arranged that the term of one shall expire on the thirtieth day of December of each year, and the vacancies so created, as well as all vacancies otherwise occurring, shall be filled by the Governor, with the advice and consent of the Senate: *And, provided also*, that the appointments made when the Senate is not in session may be confirmed at its next ensuing session. The Illinois Pharmaceutical Association shall annually report directly to the Governor, recommending the names of at least three persons whom said association shall deem best qualified to fill any vacancies which shall occur in said board.

§ 10. The said board shall, within thirty days after its appointment, meet and organize by electing a president from among their members, and a secretary, who shall not be a member of said board. The board shall also elect a treasurer who is a member of the board. Said board shall prescribe the duties and compensation of such treasurer and shall require the said treasurer to give such a bond as the said board shall direct. The secretary shall pay over to the treasurer all moneys that shall come into his hands as secretary. It shall be the duty of the board to examine all applications for registration submitted in proper form; to grant certificates of registration to such persons as may be entitled to the same under the provisions of this act; to cause the prosecution of all persons violating its provisions; to report annually to the Governor and to the Illinois Pharmaceutical Association upon the condition of pharmacy in this State, which said report shall also furnish a record of the proceedings of the said board for the year, and also the names of all the pharmacists duly registered under this act. The board shall hold meetings for the examination of applicants for registration and the transaction of such other business as shall pertain to its duties, at least once in six months: *Provided*, that said board shall hold meetings at least once in every year in the city of Chicago and in the city of Springfield, and it shall give thirty days public notice of the time and place of such meeting; shall have power to make by-laws for the proper fulfillment of its duties under this act, and shall keep a book of registration in which shall be entered the names and places of business of all persons registered under this act, which book shall also specify such facts as said persons shall claim to justify their registration. Three members of said board shall constitute a quorum.

§ 11. The secretary of the board shall receive a salary, which shall be fixed by the board, and which shall not exceed the sum of twenty-five hundred dollars (\$2,500) per year; he shall also receive his traveling and other expenses incurred in the performance of his official duties. The members of the board shall receive the sum of

(five dollars (\$5) for each day actually engaged in this service, and all legitimate and necessary expenses incurred in attending the meetings of said board. Said expenses shall be paid from the fees, penalties and appropriations received by the board under the provisions of this act. The board shall make an annual report to the Governor and to the Illinois Pharmaceutical Association of all moneys received and disbursed by them pursuant to this act.

§ 12. No person shall sell at retail any drug, medicine or poison without affixing to the box, bottle, vessel or package containing the same a label bearing the name of the article distinctly shown, with the name and place of business of the registered pharmacist from whom the article was obtained: *Provided*, nothing in this section shall apply to the sale of patent or proprietary medicines when sold in original packages, nor with the dispensing of physicians' prescriptions. Any person failing to comply with the requirements of this section shall be liable to a penalty of \$5 for any and every offense.

§ 13. Any person who shall wilfully make any false representation to procure registration for himself or any other person shall for each and every offense be liable to a penalty of fifty dollars.

§ 14. No person shall add to or remove from any drug, medicine, chemical or pharmaceutical preparation, any ingredient or material for the purpose of adulteration or substitution, or which shall deteriorate the quality, commercial value, or medicinal effect, or which shall alter the nature or composition of such drug, medicine, chemical or pharmaceutical preparation so that it will not correspond to the recognized tests of identity or purity. Any person who shall thus adulterate or alter or cause to be adulterated or altered any drug, chemical, medicine or pharmaceutical preparation; or any person who shall sell or offer for sale or cause to be sold any such adulterated drug, chemical, medicine or pharmaceutical preparation; or any person who shall, without notification to the purchaser, substitute or cause to be substituted one material for another, shall be liable to prosecution under this act. If convicted, he shall be liable to all the costs of the action and all the expenses incurred by the board of pharmacy in connection therewith, and for the first offense be liable to a fine of not less than fifty dollars nor more than one hundred dollars, and for each subsequent offense a fine of not less than seventy-five nor more than one hundred and fifty dollars.

The board of pharmacy is hereby empowered to employ an analyst or chemist expert, whose duty it shall be to examine into the so-called adulteration, substitution or alteration, and report upon the result of his investigation; and, if said report justify such action, the board shall duly cause the prosecution of the offender, as provided in this law. The latest edition of the United States Pharmacopœia is hereby adopted as the standard in determining the recognized tests of identity and purity under this act.

§ 15. All suits for the recovery of the several penalties prescribed in this act shall be prosecuted in the name of the "People of the State of Illinois," in any court having jurisdiction, and it shall be

the duty of the State's attorney of the county where such offense is committed to prosecute all persons violating the provisions of this act upon proper complaint being made. All penalties collected under the provisions of this act shall inure to the board of pharmacy.

§ 16. An act entitled, "An act to amend an act entitled, 'An act to amend an act entitled, 'An act to regulate the practice of pharmacy in the State of Illinois,' approved May 30, 1881, in force July 1, 1881, as amended by an act approved June 4, 1889, in force July 1, 1889, in force July 1, 1895, is hereby repealed: *Provided*, that nothing in this section, or this act contained, shall be construed to interfere with the term of office of any officer heretofore appointed under the said act, and nothing in this act contained shall be construed to interfere with or cancel any certificate of registration or privilege heretofore granted under said act, but the officers heretofore appointed, and any certificate of registration or privilege heretofore granted, shall continue in force and be and remain for and during the period as provided in the said act.

APPROVED May 11, 1901.

MILITARY CODE.

ORGANIZATION OF NATIONAL GUARD AND NAVAL MILITIA.

§ 1. Amends Articles 2 and 9, act of 1889.

§ 1. Name designated for land force—number of battalions and regiments limited—name designated for naval force—number of crews limited—transfer, consolidation, etc., in discretion of Commander-in-Chief—general officers.

§ 4. Regiment of infantry—number of officers and men prescribed.

§ 6½. Regiment of cavalry—number of officers and men prescribed.

§ 7. Squadron of cavalry—number of officers and men prescribed.

§ 8. Battalion of artillery—constitution of.

§ 14. Officers of naval force enumerated.

§ 15. Other naval officers named—maximum and minimum number of division.

§ 4, Article 9. State aid for killed and wounded.

Approved May 11, 1901.

AN ACT to amend sections 1, 4, 6½, 7, 8, 14 and 15 of Article II of an act entitled, "An act to revise the military code of the State of Illinois," approved April 24, 1899, in force July 1, 1899, and to add another section to article IX of said act to be numbered section 4 thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections 1, 4, 6½, 7, 8, 14 and 15 of article II of an act entitled, "An act to revise the military code of the State of Illinois," approved April 24, 1899, in force July 1, 1899, be amended so as to read as follows:

ARTICLE II.

§ 1. The land forces of the organized militia shall be designated as the "Illinois National Guard" and shall consist of not more than

twenty-four battalions of infantry, one battalion of artillery, one regiment of cavalry of eight (8) troops, a company of engineers, one signal corps, a medical department and hospital corps. The naval force of the organized militia shall be designated as the "Naval Militia of Illinois" and in the time of peace shall consist of not more than two ship crews or complements, four divisions constituting a ship's crew or complement: *Provided*, the Commander-in-Chief shall have the power, in case of war, insurrection, invasion or imminent danger thereof, to increase the said naval force beyond such limit of two ships' crews or complements, and to organize the same as the exigencies of the case may require. The Commander-in-Chief may transfer, consolidate, muster out, disband and make such other changes in the organization of the Illinois National Guard and the naval forces of Illinois, from time to time, as the best interest of the service may require, and shall make such brigade and regimental organizations as may be necessary for the land forces, and such squadron and ship's crew organization as may be necessary for the naval forces: *Provided*, that the number of general officers appointed to carry out such organization shall never exceed three.

§ 4. A regiment of infantry shall consist of one colonel, one lieutenant colonel and regimental staff consisting of one adjutant, with the rank of captain; one quartermaster, with the rank of captain; one commissary, with the rank of captain; one inspector of rifle practice, with the rank of captain; one chaplain, with the rank of captain; one sergeant major, one quartermaster sergeant, one ordnance sergeant, one commissary sergeant, one chief trumpeter, two color sergeants, one band and not less than two nor more than three battalions of not less than eight nor more than twelve companies.

§ 6½. A regiment of cavalry shall consist of one colonel, one lieutenant colonel and regimental staff consisting of one adjutant, with the rank of captain; one quartermaster, with rank of captain; one commissary, with rank of captain; one ordnance officer, with rank of captain; one chaplain, with rank of captain; one veterinary surgeon, with rank of captain; one sergeant major, one quartermaster sergeant, one ordnance sergeant, one commissary sergeant, one color sergeant, one saddle sergeant, one farrier sergeant, one chief trumpeter, one band and not less than two squadrons of not more than eight troops.

§ 7. A squadron of cavalry shall consist of one major and a commissioned staff the same as that of a battalion, a non-commissioned staff, the same as that of a battalion, and not less than two nor more than four troops. A troop of cavalry shall consist of one captain, one first lieutenant, one second lieutenant, one first sergeant, one quartermaster sergeant, four sergeants, four corporals, two trumpeters and twenty-eight privates, as a minimum, or one captain, one first lieutenant, one second lieutenant, one first sergeant, one quartermaster sergeant, four sergeants, six corporals, two trumpeters and forty-three privates as a maximum.

§ 8. A battalion of artillery shall consist of one major, and a commissioned staff the same as that of a battalion, a non-commissioned staff the same as that of a squadron of cavalry, one band, and not less than two nor more than four batteries.

§ 9. The naval force of Illinois shall be commanded by an officer with the rank of captain, who shall have the power to appoint a staff consisting of a chief of staff with the rank of commander, a navigating officer with the rank of lieutenant commander, an ordnance and equipment officer with the rank of lieutenant, a signal officer with the rank of lieutenant, junior grade, a secretary to the captain with the rank of lieutenant, junior grade, two aids to the captain with the rank of ensign, a surgeon with the relative rank of lieutenant commander, a paymaster with the relative rank of lieutenant commander, a chief engineer with the rank of lieutenant commander, a chaplain with the relative rank of lieutenant. There shall also be attached to the captain's staff the following petty officers: One master-at-arms who shall be the chief petty officer of the naval force, one gunner's mate, one equipment yeoman, one yeoman, one apothecary, one ship's armorer, two torpedo electricians, four machinists, one chief quartermaster, one coxswain and one chief bugler.

§ 15. Each ship's crew or complement of four divisions shall be commanded by an officer with the rank of commander. To each ship's crew or complement there shall be allowed the following additional commissioned officers, viz: One lieutenant commander, who shall be the executive officer; one lieutenant, who shall be the navigating and ordnance officer; one ensign, who shall be the aid to the commander, and a staff to consist of one passed assistant surgeon with the relative rank of lieutenant; two assistant surgeons with the relative rank of lieutenant, junior grade; an engineer with the rank of lieutenant; two passed assistant engineers with the rank of lieutenant, junior grade; an assistant engineer with the rank of ensign; a passed assistant paymaster with the relative rank of lieutenant, and a chaplain with the relative rank of lieutenant. There shall be allowed to each ship's crew or complement such number of petty officers as the Commander-in-Chief shall from time to time order and direct. To each division there shall be one lieutenant, one lieutenant of the junior grade, two ensigns, one bugler, thirty-five petty officers and men as a minimum and one hundred petty officers and men as a maximum. Each division shall contain at least eight men with a practical knowledge of electricity, and eight others with a practical knowledge of the construction and management of steam machinery.

ARTICLE IX.

§ 4. In every case where an officer, soldier or seaman of the Illinois National Guard or the Naval Militia of Illinois shall be killed or wounded while performing his duties as officer, soldier or seaman in pursuance of lawful orders from the Commander-in-Chief, said officer, soldier or seaman, or his legal heirs, shall have a claim against

the State for financial help or assistance, and the State board of claims shall act on and adjust the same as the merits of each case may demand.

APPROVED May 11, 1901.

ORGANIZATION OF NATIONAL GUARD AND NAVAL MILITIA.

§ 1. Amends article 2, section 5, of code—
Land forces designated "Illinois
National Guard"—number of bat-
talions, regiments, troops, etc.—
naval force designated "Naval Mi-
litia of Illinois"—to consist of two
ships' crews, etc.—general officers.

Approved May 11, 1901.

AN ACT to amend article second (2), section five (5), of the Military and Naval Code of the Illinois National Guard, to increase the number to twenty-four (24) battalions.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That article second (2), section five (5), of the military and naval code of the Illinois National Guard be, and is hereby, amended to read as follows:

The land forces of the organized militia shall be designated as the Illinois National Guard, and shall consist of not more than twenty-four battalions of infantry, one battalion of artillery, one regiment of cavalry of eight (8) troops, a company of engineers, one signal corps, a medical department and hospital corps.

The naval force of the organized militia shall be designated as the Naval Militia of Illinois, and in time of peace shall consist of not more than two ships' crews or complements, four divisions constituting a ship's crew or complement: *Provided*, the Commander-in-Chief shall have the power, in case of war, insurrection, invasion or imminent danger thereof, to increase the said naval force beyond such limit of two ships' crews [or] complements, and to organize the same as the exigencies of the case may require. The Commander-in-Chief may transfer, consolidate, muster-out, disband and make such other changes in the organization of the Illinois National Guard and the naval force of Illinois, from time to time, as the best interests of the service may require, and shall make such brigade and regimental organizations as may be necessary for the land forces, and such squadron and ship's crew organization as may be necessary for the naval forces: *Provided*, that the number of general officers appointed to carry out such organization shall never exceed three.

APPROVED May 11, 1901.

MINES AND MINING.

USE OF OILS IN MINES.

§ 1. Amends act of 1895—kind of oil—how tested—duty of State Inspector of Mines—barrels and packages how branded—option.

Approved May 11, 1901.

AN ACT to amend section 1 of "*An act to prohibit the use of certain oils in coal mines, and penalties for infraction of same,*" approved April 30, 1895, and in force July 1, 1895.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section one of "*An act to prohibit the use of certain oils in coal mines, and penalties for infraction of same,*" approved April 30, 1895, in force July 1, 1895, be, and the same is hereby, amended so as to read as follows: That only a pure animal or vegetable oil, or other oil as free from smoke as a pure animal or vegetable oil, and not the product or by-product of resin, and which has been inspected and complies with the following test, shall be used for illuminating purposes in the mines of this State. All such oils must be tested at 60 degrees Fahrenheit. The specific gravity of the oil must not exceed 24 degrees Tagliabue. The test of the oil must be made in a glass jar one and five-tenths inches in diameter by seven inches in depth. If the oil to be tested is below 45 degrees Fahrenheit in temperature, it must be heated until it reaches about 80 degrees Fahrenheit; and should the oil be above 45 degrees and below 60 degrees Fahrenheit, it must be raised to a temperature of about 70 degrees Fahrenheit, when, after being well shaken, it should [shall] be allowed to cool gradually to a temperature of 60 degrees Fahrenheit, before finally being tested. In testing the gravity of the oil, the Tagliabue hydrometer must be, when possible, read from below, and the last line which appears under the surface of the oil shall be regarded as the true reading. In case the oil under test should be opaque, or turbid, one-half of the capillary attraction shall be deemed and taken as the true reading. Where the oil is tested under difficult circumstances, an allowance of one-half degree may be made for possible error in parallax before condemning the oil for use in the mine. It shall be the duty of the State inspectors of mines, in the several districts of this State, to make the inspection provided for in this section before any such oil is sold for use in any mine in this State. All oil sold to be used for illuminating purposes in the mines of this State shall be contained in barrels or packages branded conspicuously with the name of the dealer, the specific gravity of the oil, the date of shipment, the date and place of inspection, and the name of the State inspector of mines making the said inspection. It is *provided*, however, that any material that is as free from smoke and bad odor and of equal merit as an illuminant as a pure animal or vegetable oil may be used at the pleasure of mine operators and miners.

APPROVED May 11, 1901.

NEGOTIABLE INSTRUMENTS.

MORTGAGES AND TRUST DEEDS.

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| <p>§ 1. Declares mortgages, trust deeds, etc., conveying real estate, negotiable instruments—exempt from same defenses as other negotiable instruments.</p> | <p>Approved May 10, 1901.</p> |
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AN ACT entitled, "An act making mortgages, trust deeds and other conveyances in the nature of mortgages negotiable instruments, subject only to the same defenses as other negotiable instruments."

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That whenever a mortgage, trust deed or other conveyance in the nature of a mortgage is executed, conveying real estate for the purpose of securing an indebtedness on the real estate mentioned in said mortgage, trust deed or other conveyance, such mortgage, trust deed or other conveyance shall be considered as incident to the indebtedness secured thereby and shall be exempt from defenses to the same extent as negotiable paper described in said mortgage, trust deed or other conveyance if held by a *bona fide* purchaser for value before the maturity of the indebtedness mentioned in and secured by said mortgage, trust, deed or other conveyance.

APPROVED May 10, 1901.

PARKS AND BOULEVARDS.

ACQUIRING LAND FOR PARK PURPOSES.

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| <p>§ 1. Authorizes park commissioners to acquire lands for small parks or pleasure grounds, not to exceed 10 acres.</p> <p>§ 2. Condemnation suits.</p> <p>§ 3. Authorizes the closing of streets and alleys, consent of municipal authorities necessary.</p> | <p>§ 4. Powers of commissioners.</p> <p>§ 5. Emergency.</p> <p>Approved May 10, 1901.</p> |
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AN ACT to enable park commissioners to acquire, improve and maintain additional small parks or pleasure grounds.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That for the purpose of creating additional small parks or pleasure grounds, any board of park commissioners shall have the power to acquire, by purchase,

gift, condemnation or otherwise, any lot, block or parcel of land which shall lie within the district or territory, the property of which shall be taxable for the maintenance of the parks or boulevards under the control of any such board of park commissioners. Any board of park commissioners may acquire as many lots, blocks or parcels of land for small parks or pleasure grounds as it may deem necessary: *Provided*, that each park or pleasure grounds so acquired shall not exceed ten (10) acres in area or extent.

§ 2. In the event that said board of park commissioners can not agree with the owner or owners, lessees or occupants, or persons interested in any of the said various lots, blocks or parcels of land, selected by it as aforesaid, it shall proceed to procure the condemnation of the same in the manner prescribed in the act of the General Assembly of the State of Illinois entitled, "An act to provide for the exercise of the right of eminent domain," approved April 10, 1872, in force July 1, 1872, and the amendments thereto.

§ 3. It shall be lawful for said board of park commissioners to vacate and close up any highway, street or alley which may pass through, divide or separate any lands so selected or appropriated by it for the purpose herein authorized: *Provided*, that the consent of the municipal authorities have [having] control of said street or alley so taken shall first be obtained.

§ 4. Such board of park commissioners shall have the same power and control of the lots, blocks or parcels of land taken under this act as are, or may be, by law vested in it, of and concerning the parks, boulevards and driveways now under its control.

§ 5. WHEREAS, There is a necessity for the immediate acquisition of the small parks contemplated in this act; therefore, an emergency exists, and this act shall take effect and [be] in force from and after its passage.

APPROVED May 10, 1901.

BONDS FOR COMPLETION AND IMPROVEMENT OF PARKS AND BOULEVARDS.

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| § 1. Commissioners authorized to issue and sell additional bonds--Not to exceed \$500,000--Interest not to exceed 4 per cent--Total park debt not to exceed 5 per cent of taxable property--To be paid in twenty years. | § 2. Proposition must be submitted to voters of district--Notice of election--Form of ballot--Canvass and return of votes.

§ 3. Emergency. |
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Approved March 20, 1901.

AN ACT to enable park commissioners to issue bonds for the completion and improvement of public parks and boulevards, and to provide a tax for the payment of the same.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That persons who have been or may be appointed, or otherwise selected, as commissioners or offi-

cers and constituted a board of park commissioners for any three towns, under and in pursuance of any act or acts of the General Assembly of this State, which has, or have been, or may be, submitted to the legal voters of such three towns, and by them respectively adopted, for the purpose of locating, establishing, enclosing, improving or maintaining any public park, boulevard, driveway, highway, or other public work or improvement, shall have, and are hereby invested with, full power and authority, in their discretion, to issue and sell, in addition to the bonds now authorized by law to be issued and sold by such park commissioners, interest bearing bonds to an amount not exceeding five hundred thousand (500,000) dollars, said bonds to bear interest at a rate not exceeding four (4) per centum per annum, payable semi-annually, the proceeds of said bonds to be issued to be used and applied in completing and improving any land now held, controlled and maintained, or hereafter acquired, by such park commissioners for park and boulevard purposes: *Provided*, that the total indebtedness of such park commissioners, including the said sum of five hundred thousand (500,000) dollars hereby authorized to be issued, shall not exceed five (5) per centum on the value of the taxable property of said three towns, as ascertained by the last assessment for State and county taxes previous to the issue of any such bonds, and authority is hereby expressly granted to the park commissioners issuing such bonds to levy and collect a direct annual tax upon the property within their jurisdiction, in addition to the amount of any taxes now authorized by law to be levied and collected for park and boulevard purposes, in such three towns, sufficient to pay the interest on said bonds as it falls due, and also to pay and discharge the principal thereof within twenty (20) years from the date of issuing said bonds, and the county clerk of the county in which such park district is located, or such other officer or officers as are by law authorized to spread or assess taxes for park purposes and other purposes, shall, on receiving a certificate from such park commissioners that the amount mentioned in such certificate is necessary to pay the interest on said bonds, and also to pay and discharge the principal thereof within twenty (20) years from the date of issuing said bonds, spread and assess such amount upon the taxable property embraced in such park district, the same as other park taxes are by law spread and assessed, and the same shall be collected and paid over the same as other park taxes are now required by law to be collected and paid.

§ 2. The power herein granted shall not be exercised until the proposition to issue such bonds shall have been submitted to a vote of the legal voters of such park district, and shall have received a majority of the votes cast upon that proposition at such election. Public notice of such election shall be given by the park commissioners of such district not less than ten (10) days before the day appointed therefor, by publication thereof in some newspaper of general circulation in said district, and by posting the same in at least ten of the most public places in said district, and the ballots shall read, "For issuing park completion and improvement bonds," or,

"Against issuing park completion and improvement bonds." The said election shall be held, and the ballots cast shall be counted, and the returns thereof shall be canvassed by the same officers and in the same manner as in the case of the election of town officers within said district.

§ 3. WHEREAS, There is a necessity for the immediate construction of the improvement contemplated in this act; therefore, an emergency exists, and this act shall take effect and be in force from and after its passage.

APPROVED March 20, 1901.

BONDS FOR SMALL PARKS OR PLEASURE GROUNDS.

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| <p>§ 1. Authorizes bonds to be issued.</p> <p>§ 2. Bonds—By whom signed—Rate of interest—When principal and interest are payable.</p> | <p>§ 3. Proceeds of sale of bonds used for small parks or pleasure grounds only.</p> <p>§ 4. Additional tax authorized.</p> <p>Approved May 11, 1901.</p> |
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AN ACT to authorize the issue of bonds to raise funds for the acquisition and improvement of additional small parks or pleasure grounds, and to provide a tax for payment of same.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That in any town or towns in which a board of park commissioners shall exist, where said commissioners have been named in the act establishing the said board, and their successors have since been appointed by the Governor of the State of Illinois, and the supervisors and assessors of said towns have been heretofore declared to be corporate authorities, the supervisor and assessor of such town, or the supervisor and assessor of any one of such towns, as such corporate authorities of any such town or towns, are hereby empowered, upon the written request to that effect of such board of park commissioners, or the successors thereof, which exist within any such town, to authorize the issue of bonds in the name of such town, so that the aggregate indebtedness of such town shall not exceed five (5) per centum of the value of the taxable property therein, to be ascertained by the last assessment for State and county taxes previous to the issue from time to time of such bonds, such authorized issue not to exceed in the aggregate the sum of five hundred thousand (500,000) dollars in addition to the amount previously authorized by law; such authority shall be in writing, signed by the supervisor and assessor of such town, a copy of which shall be filed with the county clerk, and another copy shall be filed with the said board of park commissioners, to be by them recorded in their record of the proceedings of said board.

§ 2. Such bonds shall be issued, when authorized by the corporate authorities of the town as aforesaid, in the name of the said town, by said board of park commissioners, and shall be signed by its president and treasurer, and countersigned by its secretary, with its seal attached. Said bonds shall bear interest at a rate not to exceed five (5)

per centum per annum, payable semi-annually, and the principal shall be payable at such place and at such time, not exceeding twenty years from the date of the issue of such bonds, as such board of park commissioners may determine.

§ 3. Said board of park commissioners may sell said bonds, and the proceeds thereof shall be used exclusively for the purchase, improvement and maintenance of lots, blocks or parcels of land selected as sites for small parks or pleasure grounds in said town issuing said bonds.

§ 4. In addition to the amount of money authorized to be raised by taxation on the property of such town for park and boulevard purposes during the next succeeding year, and each year thereafter, the supervisor of said town or towns shall add the amount of interest payable on said bonds during the next year, and each succeeding year thereafter, and shall also add a sum sufficient to pay and discharge the principal of said bonds within twenty (20) years from the date of issuing the same, and shall also add a sum sufficient to maintain said small parks or pleasure grounds.

APPROVED May 11, 1901.

BONDS FOR SMALL PARKS OR PLEASURE GROUNDS.

§ 1. Authorizes park commissioners to issue bonds not to exceed \$1,000,000.

§ 2. Proceeds of bonds to be used in purchasing and improving small parks and pleasure grounds.

§ 3. Commissioners authorized to levy and collect taxes to pay interest and principal of bonds, etc.

§ 4. Emergency.

Approved May 10, 1901.

AN ACT to enable the corporate authorities of two or more towns, for park purposes, to issue bonds to raise funds for the acquisition and improvement of additional small parks or pleasure grounds, and to provide for the payment thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That any board of park commissioners which has been by law declared to be the corporate authorities of two or more towns, for park purposes, said board of park commissioners, or the successors thereof, as such corporate authorities, shall have, and is hereby, vested with full power and authority, in its discretion, to issue and sell interest bearing bonds to an amount not to exceed one million (1,000,000) dollars: *Provided*, no bonds shall be issued under this act contrary to the provisions of section twelve, article nine, of the constitution of this State.

§ 2. The proceeds of said bonds so issued shall be used exclusively by said board of park commissioners for the purchase and improvement of the lots, blocks or parcels of lands selected as sites for additional small parks or pleasure grounds.

§ 3. Authority is hereby expressly granted to the board of park commissioners, as such corporate authorities issuing said bonds, to levy and collect a direct annual tax upon the property within its

jurisdiction sufficient to pay the interest on the said bonds as it falls due, and also to pay and discharge the principal thereof within twenty years from the date of issuing said bonds, and also to pay for the cost of maintaining said small parks or pleasure grounds.

§ 4. WHEREAS, There is a necessity for the immediate acquisition of the small parks contemplated in this act, therefore an emergency exists, and this act shall take effect and be in force from and after the date of its passage.

APPROVED May 10, 1901.

BONDS FOR SMALL PARKS OR PLEASURE GROUNDS.

§ 1. Towns within limits of city and coextensive with certain park districts may be bonded by corporate authorities—Disposition of bonds—Selection of sites—Provisions.

§ 2. Bonds—Certificate of authority endorsed—Denominations of—Interest—Principal and interest—When payable—Registration of—To whom payable—Must be sold at not less than par—Treasurer's bond—Penalty for violation.

§ 3. Sinking fund.

§ 4. Bonds payable from sinking fund each year after five years—Bonds to be paid selected by lot—Selection to be filed in offices of town and county clerks.

§ 5. Commissioners may purchase bonds out of sinking fund after one year at market value.

§ 6. Emergency.

Approved May 10, 1901.

AN ACT to authorize the corporate authorities of towns to issue bonds to raise funds for the acquisition and improvement of additional small parks or pleasure grounds, and to provide a tax for the payment of the same.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That in any town which is now included within the limits of any city in this State where the boundaries and limits of any such town are coextensive with the boundaries and limits of any park district, in which a board of park commissioners shall now exist, having authority by law to acquire, hold, improve and maintain land and the appurtenances in trust for the inhabitants of such town, and of a division or part of such city, and for such parties or persons as may succeed to the rights of such inhabitants, and for the public as a public promenade and pleasure ground or ways, but not for any other use or purpose without a consent of a majority, by frontage, of the owners of the property fronting the same, and without the power to sell, alienate, mortgage or encumber the same, the corporate authorities of such town (meaning the town supervisor, clerk and assessor thereof,) shall have authority, and such corporate authorities of any such town are hereby empowered, upon the written request to that effect of any board of park commissioners, or the successors thereof, which shall now exist within any such town, to issue bonds in the name of such town to an amount not exceeding in the aggregate the principal sum of one million (1,000,000) dollars, and such bonds, when so issued by such corporate

authorities, shall be delivered to such board of park commissioners, to be by them sold in the manner hereinafter provided, and the proceeds thereof used for the purchase and improvement of lots, blocks or parcels of lands selected as sites for small parks or pleasure grounds: *Provided*, that the total indebtedness of such town, including the sum of one million (1,000,000) dollars hereby authorized to be issued, shall not exceed five per centum of the value of the taxable property of such town, as ascertained by the last assessment for State and county taxes previous to the issue of any such bonds. And such corporate authorities of any such town shall, in addition to the amount of any tax now authorized by law to be levied and collected annually for park [or] boulevard purposes in any such town, levy and collect annually a tax not to exceed one mill on the dollar upon taxable property in any such town, according to the valuation of the same as made for the purposes of State and county taxation; such tax to be used and expended by such board of park commissioners in governing, maintaining and improving such parks or pleasure grounds, and in paying the interest and principal of such bonds and other necessary and incidental expenses incurred in and about the management of any such small parks or pleasure grounds. The proceeds of the bonds hereby authorized to be issued for the purposes aforesaid shall be used exclusively by such board of park commissioners for the purchase and improvement of the blocks, lots or parcels of land necessary for said small parks or pleasure grounds.

§ 2. Such bonds shall be issued by the corporate authorities of such town aforesaid in the name of said town, upon the request in writing of any such board of park commissioners or a majority of the members thereof. Said bonds shall be signed by the corporate authorities in the name of said town, and when so signed shall be delivered by such corporate authorities to such board of park commissioners, who shall, before disposing of the same, indorse upon each one of said bonds a certificate to the effect that such bonds have been issued by the corporate authorities of such town upon the requisition of such board of park commissioners for the issue of such bonds by the corporate authorities of such town. And such certificate, so to be indorsed upon each one of such bonds, shall be evidence that due requisition for the issue of such bonds has been made by such board of park commissioners upon the corporate authorities of such town as aforesaid. Such certificate, so to be indorsed upon said bonds, shall be signed by the president, treasurer, auditor and secretary of such board of park commissioners. The said bonds may be of the denomination of twenty-five (25) dollars and any multiple thereof. They shall bear interest at a rate not to exceed five (5) per centum per annum, to be paid semi-annually, and to be evidenced by coupons thereto attached, and the principal shall be payable at such place and at such time, not exceeding twenty (20) years from date of the issue of said bonds, as such board of park commissioners may determine. Such bonds shall be numbered in regular series and shall be registered upon the records of such board of park commissioners, which registry shall show the number of the bonds, the amount of each

bond, when the same is payable, to whom the same is payable, and the rate of interest payable thereon: *Provided, however,* that such bonds may be made payable to bearer, or to the order of such person or persons as may be named therein, and, when any of such bonds shall be made payable to bearer, they shall pass by delivery, and provision shall be made by such board of park commissioners, at the option of the holder and in his name, and, after a second registry of any such bond, they, together with any bonds made payable to any particular person or persons, shall pass only by indorsement and delivery. None of such bonds shall be sold by such board of park commissioners for less than the par value thereof and the accrued interest thereon at the date of sale. And such board of park commissioners is hereby empowered to require of the treasurer of any such board a bond, with security to be approved by the circuit court of the county in which such parks or pleasure grounds may be located, sufficient in amount and penalty to protect and save harmless any such board of park commissioners from loss of money or sums of money which may or shall, from time to time, come into the hands of the treasurer of any such board of park commissioners from the sale of any of the bonds issued and sold under, and by virtue of, the provisions of this act. Any person who shall knowingly violate or aid and abet in the violation of any of the provisions of this act shall be deemed guilty of embezzlement, and shall be liable to indictment, trial and punishment as in other cases of embezzlement.

§ 3. For the purpose of providing for the payment of interest on such bonds as it falls due, and also to discharge and pay the principal thereof as the same shall mature, any such board of park commissioners is hereby required, each year, to appropriate from any annual park tax, not heretofore specifically appropriated by law, which may now or hereafter be authorized and directed to be levied upon the taxable property in any such town, whether the same be known as "boulevard and park tax" or otherwise, a sum sufficient to meet the interest upon such bonds as it may accrue, and to provide a sinking fund for the purpose of paying the principal of such bonds as they shall mature or become due, according to the provisions of this act.

§ 4. Any and all bonds which shall be issued in accordance with the provisions of this act shall contain the condition that, upon the expiration of five (5) years after the date of such bonds, and upon the expiration of each successive year thereafter, such board of park commissioners shall, at any open meeting of the board of such park commissioners, select by lot so many and such an amount of such bonds as may be required to absorb the sinking fund hereinbefore provided; and the principal of the bonds so selected shall become due and payable at the date of the next installment of interest maturing on the several bonds so selected from time time, and shall cease to bear interest after they severally become due and payable by reason of such selection. Such board of park commissioners, immediately after making such selection, shall make and sign, in duplicate, a statement of the result thereof, and shall file one copy thereof in the office of the town clerk of such town and the other copy shall be filed in the

office of the county clerk of the county in which such town shall be located; and it is hereby made the duty of any such board of park commissioners to pay and discharge the principal of the bonds selected at the date of the next installment of interest maturing on the bonds so selected from the sinking fund hereinbefore provided for that purpose.

§ 5. Any such board of park commissioners is hereby empowered, after the expiration of one year and any time before five years from the date of any such bonds authorized to be issued according to the provisions of this act, to purchase a sufficient number and amount of such bonds then outstanding to absorb the annual sinking fund required by the provisions of this act: *Provided*, that such board of park commissioners shall not be authorized to pay for the bonds authorized by this section to be purchased more than the fair market value thereof at the date of such purchase.

§ 6. WHEREAS, There is a necessity for the immediate acquisition of the small parks contemplated in this act; therefore, an emergency exists, and this act shall take effect and be in force from and after its passage.

APPROVED May 10, 1901.

CONTROL OF UNION AVENUE BY SOUTH PARK BOARD.

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| <p>§ 1. Gives South Park Commissioners in certain towns control of a part of Union avenue for a boulevard.</p> <p>§ 2. Taxes and assessments for improvement of.</p> <p>§ 3. To be under control of park commissioners.</p> | <p>§ 4. To revert to corporate authorities in certain case.</p> <p>§ 5. Cities etc., may grant control of streets to park commissioners.</p> <p>§ 6. Emergency.</p> <p>Approved May 11, 1901.</p> |
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AN ACT authorizing the corporate authorities and board of South Park commissioners of these towns, namely: South Town, of city of Chicago, the town of Hyde Park, of city of Chicago, and the town of Lake, of city of Chicago, to take, regulate, control and improve Union avenue, a public street between Forty-second (42nd) street and Garfield boulevard, and between Fifty-ninth street (59th) and Garfield boulevard, leading to a public park, to pay for the improvement thereof, and in that behalf to make and collect a special assessment, or special tax, on contiguous property.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: Boulevard and Driveway.* That the South Park board of commissioners of the three towns of Lake, Hyde Park and South Town, of the city of Chicago, in Cook county, Illinois, shall have power to take, regulate, control and improve a public thoroughfare and street known as Union avenue, in town of Lake, in city of Chicago, Cook county, Illinois, from the south line of Forty-second (42nd) street to the north line of Garfield boulevard, from north line of Fifty-ninth street (59th) to south line

of Garfield boulevard, for a boulevard and driveway leading to the public parks, now under the control of the board of South Park commissioners.

§ 2. Taxes and Assessments.] That such board of South Park commissioners, or such corporate authorities as are by law authorized to levy taxes or assessments for the maintenance of such parks, shall have power to improve said Union avenue between the south line of said Forty-second (42nd) street and the north line of the said Garfield boulevard, and between the north line of Fifty-ninth street (59th) and south line of Garfield boulevard, in such manner as they may deem best; and the said taxes and assessments shall be collected and enforced in the same manner as is provided by law for the collection and enforcement of the taxes and assessments for or on account of such corporate bodies or boards, as aforesaid, so far as the same are applicable.

§ 3. Control of Park Commissioners.] Said South Park board of commissioners shall have the same power and control over the said Union avenue under this act as is now or may be by law vested in them of and concerning the parks, boulevards or driveways under their control.

§ 4. Reversion to Corporate Authorities—When.] In case the said Union avenue, or any part thereof, shall pass from the control of any such park board, the power and authority over the same, granted or authorized by this act, shall revert to the proper corporate authorities of such city, town or village, respectively aforesaid.

§ 5. City, Etc., May Grant Control to Park Commissioners.] Any city, town or village in this State shall have full power and authority to vest any of such park boards with the right to control, improve and maintain any of the streets of such city, town or village for the purpose of carrying out the provisions and conditions of this act.

§ 6. Emergency.] WHEREAS, There is a necessity for the immediate construction of the improvements contemplated in this act; therefore, an emergency exists, and this act shall take effect and be in force from and after its passage.

APPROVED May 11, 1901.

ELECTION—OFFICERS OF PARK DISTRICTS.

§ 1. Amends act of 1893.

§ 12. Election—appointment of president and trustees of park district—term of office—meetings—powers and duties.

§ 2. Emergency.

Approved May 11, 1901.

AN ACT to amend section twelve (12) of "An act to provide for the creation of pleasure driveways and park districts," approved June 19, 1893, and in force July 1, 1893, as amended by act of June 17, 1895, and in force July 1, 1895.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section twelve (12) of an act entitled, "An act to provide for the creation of pleasure driveways and park districts," approved June 19, 1893, and in force July 1, 1893, be, and the same is hereby, amended to read as follows:

§ 12. The regular annual election for president and trustees of any district organized under this act shall be held on the third Tuesday in May of each year after such organization, and the president and the board of trustees shall give twenty (20) days' notice of such election; the purpose for which the same is held; appoint the polling place or places and the judges and clerks of election; furnish the official ballots, and the election shall be conducted and the votes canvassed and the returns made to the said board of trustees of any such districts in the manner as is required of the president and board of trustees of incorporated villages in this State acting under the general law for the incorporation of cities and villages.

At the annual election in any park district now organized under this act, or at any election held for the purpose of organizing a pleasure driveway and park district under this act, if asked for in the petition for organization, there may be submitted for adoption or rejection by the legal voters of such districts the question whether the trustees of said park districts shall be elected by the legal voters of such districts, or shall be appointed by the county and circuit judges as hereinafter provided; and the ballots at such election shall be in the following form: "For the appointment of park trustees" or "against the appointment of park trustees." A majority of all the legal votes cast at such elections shall determine the manner thereafter of selecting such park trustees. The votes cast at such elections in districts now organized shall be canvassed by the board of trustees of said park districts and the result thereof spread upon the records of said district; and the votes cast at the elections for the organization of such park districts shall be canvassed by the county judge and be spread upon the records of said court.

Upon the organization of any pleasure driveway and park district as provided by this act, in which a majority of the legal votes cast at said elections shall be in favor of the appointment of trustees for said district, as herein provided, the county judge of the county in which all or a greater portion of said district is located, and two of the judges of the circuit court of the judicial district in which said park district is located, which of said circuit judges shall act, to be determined by lot among themselves, shall appoint by ballot for such park district within ten (10) days after such organization seven (7) trustees as the board of trustees of said park district, who shall qualify and hold their respective offices until the first Monday in July following such organization, and until their successors are appointed and qualified as herein provided, and no longer; and in all park districts now organized under this act in which the question of the manner of choosing park trustees has been submitted to the legal voters of said districts, and a majority of the legal votes cast at said election shall be in favor of the appointment of said trus-

tees as herein provided, the officers of said park district then in office shall hold their respective offices until the first Monday in July following and until their successors are appointed and qualified as herein provided, and no longer.

On the first Monday of July following the election in any park district organized, or hereafter organized, under this act, in which the legal voters have determined as herein provided that the park trustees shall be appointed as provided by this act, the county and circuit judges as above designated shall appoint by ballot seven (7) trustees who shall constitute the board of trustees for all pleasure driveways and park districts organized under this act, and thereafter said judges shall appoint trustees biennially for such districts, on the first Monday in July, to fill the vacancy on said board of trustees caused by the expiration of the term of office of said trustees, or to fill any vacancy on said board occurring from any cause whatsoever, and said trustees shall be legal voters and reside in the said park district: *Provided*, that not more than four (4) of said trustees at any one time shall belong to the same political party. Each of said trustees shall receive a certificate of appointment and qualify within ten (10) days from the receipt of notice of election.

In each pleasure driveway and park district organized, or hereafter organized, under this act, immediately upon the appointment of park trustees as herein provided, said trustees shall meet in some convenient place in said park district and organize and elect by ballot from among their members a president and vice president, who shall qualify and hold their respective offices for a term of two (2) years, and until their successors are elected and qualified. At the first meeting of the trustees appointed as provided herein, they shall divide themselves by lot into two (2) classes, the first class, consisting of four members, shall hold their term of office for a period of four (4) years, and the second class, consisting of three members, shall hold their term of office for a period of two (2) years, and at the expiration of the term of office of the second class their successors shall be appointed for a period of four (4) years, and thereafter each class of trustees shall be appointed for a period of four (4) years, and shall hold their term of office until their successors are appointed and qualified. The president shall preside at all meetings, and in his absence or disability the vice president shall preside. The president and trustees shall elect a secretary and treasurer whose term of office shall not be longer than two (2) years, and they shall give such bonds and perform such duties as shall be required of them by said board of trustees.

All trustees appointed for any park district, as provided herein, shall have and exercise all the powers conferred by this act upon trustees elected under the provisions of this act.

§ 2. WHEREAS, An emergency exists for the immediate taking effect of this act, therefore, it shall be in force from and after its passage.

APPROVED May 11, 1901.

GRANT PARK CONVEYED TO SOUTH PARK BOARD, CHICAGO.

§ 1. Amends section 1, act of 1899.

Approved May 10, 1901.

§ 1. Changes name "Lake Front Park" to "Grant Park"—boundaries described—conveyance to south park commissioners.

AN ACT to amend section one (1) of an act entitled, "An act to convey and designating certain submerged lands, known as 'Lake Front,' for park and other purposes," approved April 24, 1899, in force July 1, 1899.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section one (1) of an act entitled, "An act to convey and designating certain submerged lands, known as 'Lake Front,' for park purposes," approved April 24, 1899, in force July 1, 1899, be, and the same is hereby, amended so as to read as follows:

§ 1. That the land or lands located in the city of Chicago, county of Cook, and State of Illinois, bounded on the north by the north line of Monroe street, produced east to the outer sea wall or harbor line, established by the Secretary of War, September 22, 1890, in Lake Michigan, and bounded on the east by said outer sea wall or harbor line, and bounded on the south by the south line of the street known as "Lake Park place" (formerly known as "Park Row,") produced east to said outer sea wall or harbor line, and bounded on the west by the east line of Michigan avenue, which land is commonly known and designated as the "Lake Front," including all submerged land lying west of said outer sea wall or harbor line, and between said north and south boundary lines above described, shall be, and are hereafter to be called, designated and known as "Grant Park," and said "Grant Park" is hereby conveyed to the South Park commissioners, to be held, managed and controlled by said commissioners as other parks are now under their control; except, however, that portion of said "Grant Park" lying north of the north [of the north] line of Jackson street, extended east from Michigan avenue to the said outer sea wall or harbor line, and except also the right of way, easements and grounds of the Illinois Central Railroad Company extending north and south through said "Grant Park," as described in an ordinance of the city council of the city of Chicago, passed October 21, 1895, and published by authority of the city council in 1898, in Volume two (2) of Special Ordinances of Chicago, at page 657.

APPROVED May 10, 1901.

PARTITION OF REAL ESTATE.

REPORTS OF MASTER'S SALE.

§ 1. Amend section 29, acts of 1874 and 1889. | Approved May 11, 1901,

§ 29. Officer making sale to file report—
approval of report and confirma-
tion of sale—filing exceptions—
hearing, approval in vacation.

AN ACT to amend section twenty-nine (29) of an act entitled, "An act to revise the law in relation to the partition of real estate," approved February 9, 1874, in force July 1, 1874, as amended by act of the General Assembly approved June 3, 1889.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section twenty-nine (29) of "An act to revise the law in relation to the partition of real estate," approved February 9, 1874, in force July 1, 1874, as amended by an act of the General Assembly approved June 3, 1889, be, and the same is hereby, amended so as to read as follows:

§ 29. The master, special commissioner or other officer making such sale shall, within ten (10) days thereafter, file report of his doings in the matter in the office of the clerk of the court decreeing such sale. If the said court be then in session, the court may, in its discretion, at once approve such report and confirm the sale reported, if no exceptions to said report have been filed; or, if exceptions to said report have been filed, may, in its discretion, at once proceed to hear such exceptions and sustain or overrule the same. If the said court shall not be in session when said report is filed with said clerk then any person interested therein may, within twenty (20) days after the filing of said report, file exceptions thereto. In such case no action shall be taken thereon until the next succeeding term of the court. If no exceptions to said report are filed in vacation, within said twenty (20) days, the said report shall be presented by the officer or other person making such sale, to the judge of the court, who shall examine the same and shall have the power, in vacation, to make such order in reference to the approval thereof as he shall deem proper.

APPROVED May 11, 1901.

REFORMATORIES.

HOME FOR JUVENILE FEMALE OFFENDERS.

§ 1. Amends section 16, acts of 1893 and 1895.

§ 16. Offenses for which girls may be committed to home—increases age.

§ 2. Re-enacts section 17, act of 1893.

§ 17. Proceedings in commitment.
—Home designated State
Training School for Girls.

Approved May 10, 1901.

AN ACT to amend section sixteen (16) of an act entitled, "An act to provide for a State Home for Juvenile Female Offenders," approved June 22, 1893, as said section was amended by an act approved June 25, 1895, and to amend and re-enact section seventeen (17) of said first mentioned act.

SECTION. 1 *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section sixteen (16) of an act entitled, "An act to provide for a State Home for Juvenile Female Offenders," approved June 22, 1893, as amended by an act approved June 25, 1895, be amended to read as follows:

§ 16. Whenever any girl between the ages of ten and eighteen years is convicted before any court of record of any offense which, if committed by an adult, is punishable by confinement in any house of correction, county jail or penitentiary, such juvenile offender may be committed by the order of such court to the State Home for Juvenile Offenders for a time not less than one year or beyond the age of twenty-one years: *Provided*, that when the offense is punishable by confinement in any house of correction or county jail, the court may, in the exercise of its discretion, commit such juvenile offender to the house of correction or county jail for the term authorized by law for the punishment of such offense.

§ 2. Section seventeen (17) of said first mentioned act shall be amended and re-enacted, and as so amended become a part of said original act and read as follows:

§ 17. Whenever any girl between the ages of ten and eighteen years is charged with or found guilty of the violation of any statute, law or city ordinance before any justice of the peace, police magistrate, examining magistrate or court, if any credible person, a resident of the county, shall file a petition in any court of record in such county, setting forth the offense charged and that such girl is a vagrant or without a proper home or means of subsistence, or lives with or frequents the company of reputed thieves or other vicious persons, or is or has been in a house of ill-fame, prison or poor house, or setting forth and showing any other facts of a similar nature, showing that it will be for the interest of such girl and the public that she should be sent to said State Home for Juvenile Female Offenders, the court may, if in the opinion of the judge said State Home for Juvenile Offenders is the proper place for such girl, cause such girl to be

brought before it and cause a jury of six competent persons to be impaneled for the trial of the case, and if the jury shall return their verdict that the facts set forth in the petition are proved, the court may commit such girl to said State Home for Juvenile Female Offenders for a term not less than one year nor beyond the age of twenty-one years. For purposes of convenience the said reformatory may, in all legal proceedings, contracts and papers of every kind, be designated as a "State Training School for Girls," and such designation shall be taken and held to have the same legal effect as if the name "State Home for Juvenile Female Offenders" were used therein.

APPROVED May 10, 1901.

INDUSTRIAL SCHOOL FOR GIRLS.

§ 1. Amends act of 1885.

§ 3. Dependent children—County to care for when—Committed to industrial school when.

§ 4. Petition filed—Hearing—Order of court—Notice, to whom given.

§ 15. Discharge from school—Appeals allowed.

Approved May 11, 1901.

AN ACT to amend section 4 of an act entitled, "An act to aid Industrial Schools for Girls," approved May 28, 1879, and to add a section to said act, to be known as section 15; and also to amend section 3 of said act, as the same has been amended by an act approved June 25, 1885, in force July 1, 1885.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 3 and section 4 of an act entitled, "An act to aid Industrial Schools for Girls," be amended, and that an additional section, to be known as section 15, be added thereto, so that said amended sections and said additional section shall read as follows:

§ 3. Any responsible person, who is a resident of any county in this State, may petition the county court, or any court of record of said county, to inquire into the alleged dependency of any female infant then within the county: *Provided, however,* that no county shall be chargeable, as provided by this act, with the tuition or care of any female infant committed to an industrial school from such county, unless such infant be a resident of said county, except where the parents or guardian of such infant are unknown, or where the infant's place of residence can not be learned, and every female infant, who comes within any or either of the following descriptions, shall be considered a dependent girl, viz:

Every female infant under eighteen years of age who begs or receives alms while actually selling, or pretending to sell, any article in public; or who frequents any street, alley, or other place for the purpose of begging or receiving alms; every female infant who shall have no permanent place of abode, or who shall not have proper paternal care or guardianship, or who shall not have sufficient means

of subsistence, or who, from any cause, shall be a wanderer through streets and alleys or other public places; or who shall live with, or frequent the company of, or consort with, reputed thieves or other vicious persons; or who shall be found in a poor house; or who shall be found in a house of ill-fame, or in any prison: *Provided, however,* that no "infant" who is an "inmate" of any house of ill-fame, or who is found in any prison, charged with, or convicted of, any penal offense, shall be committed to any industrial school of this State, as herein provided for dependent girls. The petition shall also state the names, if known, of the father and mother of the infant, or the survivor; and if neither the father nor mother of the infant be living, or can not be found in the county, or if their names can not be ascertained, then the name of the guardian, if there be one.

If there be a parent living, whose name can be ascertained, or a guardian, the petition shall set forth, not only the dependency of the girl, but shall also show, either that the parents, or parent, or guardian, do not consent to the girl being found dependent. Such petition shall be verified by oath upon the belief of the petitioner, and upon being filed, the judge of the court shall have the girl named in the petition brought before him, and shall thereupon order her to be placed in the custody of some responsible person until such time as a hearing shall be had upon said petition, which hearing shall be had as soon thereafter as may be expedient, and for the hearing of such petition the court having jurisdiction shall be considered always open.

§ 4. Upon the filing of such petition, the clerk of the court shall issue a writ to the sheriff of the county, directing him to bring such infant before the court to be dealt with as herein provided, and on the hearing upon said petition having been set, the court shall order that a jury of six shall be summoned and empaneled to ascertain whether such infant is a dependent, as alleged in such petition, and also to find if the other allegations are true, and if found to be such, they shall also find her age in their verdict, and when such infant shall be without counsel, it shall be the duty of the court to assign counsel for her, and if the jury find that the infant named in the petition is a dependent girl, and that the other material facts set forth in the petition are true, and if, in the opinion of the judge, she is a fit person to be sent to an industrial school for girls, the judge shall enter an order that such infant be committed to an industrial school for girls in the county, if there be such school in the county, but if there be no such school in the county, then in any industrial school for girls elsewhere in the State, to be in such school kept and maintained until she arrives at the age of eighteen years, unless sooner discharged therefrom in the manner hereinafter provided. Before the hearing aforesaid, notice of proceedings shall be given to the parent or guardian of the infant, if to be found in the county, also to the chairman of the county board of the county in which such proceedings have been instituted, and they may appear and resist the same.

§ 15. The court committing any girl to a training school under the provisions of this act shall have power at any time after making such commitment, and as long as the girl is in the school, upon proper showing, to order the discharge of the girl, or her restoration to her parents: *Provided, however,* that such showing shall demonstrate that the welfare and best interests of such girl will be best promoted by her discharge from such school, and that the president of such industrial school where such girl is confined shall receive notice of such application for discharge, and may appear and resist the same.

Appeals, as in other cases, shall be allowed from all final orders made by such court under this act.

APPROVED May 11, 1901.

REVENUE.

ASSESSMENT OF BUILDING, LOAN AND HOMESTEAD ASSOCIATIONS.

§ 1. Amends section 29a, act of 1872.

§ 2. Emergency.

§ 29a. Stockholders shall list shares for taxation—Stock pledged for security not assessable.

Approved April 18, 1901.

AN ACT to amend section 29a of an act entitled, "An act for the assessment of property and for the levy and collection of taxes," approved March 30, 1872, in force July 1, 1872, as added thereto by "An act in relation to the assessment of the property of mutual building, loan and homestead associations," approved and in force April 30, 1895.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 29a of an act entitled, "An act for the assessment of property and for the levy and collection of taxes," approved March 30, 1872, in force July 1, 1872, as added thereto by "An act in relation to the assessment of the property of mutual building, loan and homestead associations," approved and in force April 30, 1895, be, and the same is hereby, amended to read as follows:

§ 29a. The stockholders of every mutual building, loan and homestead association for the purpose of building and improving homesteads and loaning money to the members thereof only, whether such association is organized under the laws of this State or of any other state or territory of the United States, shall list for taxation with the local assessor where such stockholders reside the number of shares of stock of such association owned by them respectively and the value thereof on the first day of April in each year, and the same shall be assessed against such stockholders and the taxes thereon collected in the same manner as on other personal property: *Provided,* that no stock of such association while loaned upon by, and pledged

as security to the association issuing it, to an amount equal to the par value of such stock, shall be subject to assessment.

§ 2. WHEREAS, An emergency exists, this act shall take effect and be in force from and after its passage.

APPROVED April 18, 1901.

ASSESSMENT OF PERSONAL PROPERTY OF BANKERS, BROKERS, ETC.

§ 1. Amends section 30, Act of 1872.

Approved May 10, 1901.

§ 30. Rules for listing property of banks (other than national or State), bankers, brokers, or stock jobbers, for taxation.

AN ACT to amend section thirty of an act entitled, "An act for the assessment of property and for the levy and collection of taxes," approved March 30, 1872, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section thirty (30) of an act entitled, "An act for the assessment of property and for the levy and collection of taxes," approved March 30, 1872, in force July 1, 1872, be, and the same is hereby, amended to read as follows:

§ 30. Every bank (other than banks incorporated under the banking laws of this State, or of the United States), banker, broker or stock jobber shall; at the time fixed by this act for listing personal property, make out and furnish the assessor a sworn statement, showing:

First—The amount of money on hand or in transit.

Second—The amount of funds in the hands of other banks, bankers, brokers or others, subject to draft.

Third—The amount of checks or other cash items; the amount thereof not being included in either of the preceding items.

Fourth—The amount of bills receivable, discounted or purchased, and other credits, due or to become due, including accounts receivable, and interest accrued but not due, and interest due and unpaid.

Fifth—The amount of bonds and stocks of every kind, and shares of capital stock or joint stock of other companies or corporations, held as an investment or any way representing assets.

Sixth—All other property appertaining to said business, other than real estate (which real estate shall be listed and assessed as other real estate is listed and assessed under this act.)

Seventh—The amount of all deposits made with them by other parties.

Eighth—The amount of all accounts payable, other than current deposit accounts.

Ninth—The amount of bonds and other securities exempt by law from taxation, specifying the amount and kind of each, the same being included in the preceding fifth item.

The aggregate amount of the first, second and third items in said statement shall be listed as moneys. The amount of the sixth item shall be listed the same as other similar personal property is listed under this act. The aggregate amount of the seventh and eighth items shall be deducted from the aggregate amount of the fourth item of said statement, and the amount of the remainder, if any, shall be listed as credits. The aggregate amount of the ninth item shall be deducted from the aggregate amount of the fifth item of such statement, and the remainder shall be listed as bonds or stocks.

APPROVED May 10, 1901.

BOARDS OF REVIEW—APPOINTMENT OF.

§ 1. Amends section 30, act of 1898:

§ 30. Boards of review in counties under township organization of less than 125,000 population—how constituted—vacancies—compensation.

§ 2. Emergency.

Approved May 11, 1901.

AN ACT to amend section thirty (30) of an act entitled, "An act for the assessment of property and providing the means therefor, and to repeal certain acts therein named," approved February 25, 1898, in force July 1, 1898.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section thirty (30) of an act entitled "An act for the assessment of property and providing the means therefor, and to repeal certain acts therein named," approved February 25, 1898, and in force July 1, 1898, be, and the same is hereby, amended to read as follows, viz:

§ 30. In counties under township organization of less than 125,000 inhabitants, the chairman of the board of supervisors and two (2) citizens of said county, to be appointed by the county judge, on or before June 1, of each year, shall constitute the board of review to review the assessments made by the county supervisor of assessments; one of said citizens shall be appointed by said county judge from each of the political parties polling the highest vote at the general election next preceding such appointment. In case of a vacancy in such board, then the county judge may appoint a citizen of such county to fill such vacancy until such time as said office can be filled by the officer herein named. The chairman of the county board shall be the chairman of the board of review. The members of the board of review shall receive as compensation the sum per day for each day of service as shall be fixed by the county board; their time of service to be made out in due form, with day and date, and sworn to by the members thereof.

§ 2. WHEREAS, An emergency exists, therefore this act shall take effect and be in force from and after its passage.

APPROVED May 11, 1901.

GENERAL LEVY FOR STATE PURPOSES.

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| <p>§ 1. Provides for the levying of \$3,500,000 per annum for "revenue fund," and \$1,000,000 per annum for "State school fund."</p> | <p>§ 2. Governor and Auditor to compute rates per cent.</p> |
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Approved May 10, 1901.

AN ACT to provide for the necessary revenue for State purposes.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there shall be raised by levying a tax by valuation upon the assessed taxable property of the State the following sums for the purposes hereinafter set forth:

For general State purposes, to be designated "revenue fund," the sum of three million five hundred thousand (3,500,000) dollars upon the assessed value of property for the year A. D. 1901; three million five hundred thousand (3,500,000) dollars upon the assessed value of property for the year A. D. 1902; and for State school purposes, to be designated "State school fund," the sum of one million (1,000,000) dollars upon the assessed taxable property for the year A. D. 1901, and the sum of one million (1,000,000) dollars upon the assessed taxable property for the year A. D. 1902, in lieu of the two mill tax.

§ 2. The Governor and Auditor shall annually compute the several rates per cent required to produce not less than the above amounts, anything in any other act providing a different manner of ascertaining the amount of revenue required to be levied for State purposes to the contrary notwithstanding, and when so ascertained, the Auditor shall certify to the county clerks the proper rates per cent therefor, and also such definite rates for other purposes as are now, or may hereafter be, provided by law, to be levied and collected as State taxes, and all other laws and parts of laws in conflict with this act are hereby repealed.

APPROVED May 10, 1901.

TAXATION OF GIFTS, LEGACIES AND INHERITANCES.

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| <p>§ 1. Amends act of 1895 by adding one section.</p> | <p>Approved May 10, 1901.</p> |
| <p>§ 2^a. Exemptions.</p> | |

AN ACT to amend an act entitled, "An act to tax gifts, legacies and inheritances in certain cases, and to provide for the collection of same," approved June 15, 1895, in force July 1, 1895, by adding thereto an additional and new section exempting certain grants, gifts and bequests therein named, to be known as section 2 1-2.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an act entitled, "An

act to tax gifts, legacies and inheritances in certain cases, and to provide for the collection of the same," approved June 15, 1895, in force July 1, 1895, be and the same is hereby, amended by adding thereto an additional and new section, exempting certain grants, gifts and bequests therein named, to be known as section 21 $\frac{1}{2}$, as follows:

§ 21 $\frac{1}{2}$ When the beneficial interests of any property or income therefrom shall pass to or for the use of any hospital, religious, educational, bible, missionary, tract, scientific, benevolent or charitable purpose, or to any trustee, bishop or minister of any church or religious denomination, held and used exclusively for the religious, educational or charitable uses and purposes of such church or religious denomination, institution or corporation, by grant gift, bequest or otherwise, the same shall not be subject to any such duty or tax, but this provision shall not apply to any corporation which has the right to make dividends or distribute profits or assets among its members.

APPROVED May 10, 1901.

TAXATION OF GIFTS, LEGACIES AND INHERITANCES.

§ 1. Amends act of 1895:

§ 11. Appraisement.

§ 11 $\frac{1}{2}$. Clerk's fees—Classification—Inheritance tax attorney—Appointment—Compensation—How drawn—Inheritance tax clerk—Appointment—Compensation—Clerk's fees in contested cases and appeals.

§ 21 $\frac{1}{2}$. Persons interested to have hearing in county court—Appeals—Costs.

Approved May 10, 1901.

AN ACT to amend section 11 of an act entitled, "*An act to tax gifts, legacies and inheritances in certain cases, and to provide for the collection of the same,*" approved June 15, 1895, in force July 1, 1895, and to add two new sections thereto to be known as section 11 1-2 and section 21 1-2.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 11 of an act entitled, "*An act to tax gifts, legacies and inheritances in certain cases, and to provide for the collection of the same,*" approved June 15, 1895, in force July 1, 1895, be, and the same are hereby, amended, and that additional sections, to be known as section 11 $\frac{1}{2}$ and section 21 $\frac{1}{2}$, be, and they are hereby, added so as to read as follows:

§ 11. In order to fix the value of property of persons whose estate shall be subject to the payment of said tax, the county judge, on application of any interested party, or upon his own motion, shall appoint some competent person as appraiser as often as, or whenever occasion may require, whose duty it shall be forthwith to give such notice by mail to all persons known to have or claim an interest in such property, and to such persons as the county judge may, by

order direct, of the time and place he will appraise such property, and at such time and place to appraise the same at a fair market value, and for that purpose the appraiser is authorized, by leave of the county judge, to use subpoenas for and to compel the attendance of witnesses before him, and to take the evidence of such witnesses under oath concerning such property and the value thereof, and he shall make a report thereof and of such value, in writing, to said county judge, with the depositions of the witnesses examined and such other facts in relation thereto and to said matters as said county judge may, by order, require to be filed in the office of the clerk of said county court, and from this report the said county judge shall forthwith assess and fix the then cash value of all estates, annuities and life estates or terms of years growing out of said estate, and the tax to which the same is liable, and shall immediately give notice by mail to all parties known to be interested therein. Any person or persons dissatisfied with the appraisalment or assessment may appeal therefrom to the county court of the proper county within sixty days after the making and filing of such appraisalment or assessment on paying or giving security satisfactory to the county judge to pay all costs, together with whatever taxes shall be fixed by said court. The said appraiser shall be paid by the county treasurer out of any funds he may have in his hands on account of the inheritance tax, as by law provided, on the certificate of the county judge, such compensation as such judge may deem just for said appraiser's services as such appraiser, not to exceed ten dollars per day for each day actually and necessarily employed in said appraisalment, together with his actual and necessary traveling expenses and disbursements, including such witness fees paid by him.

§ 11½. The fees of the clerk of the county court in inheritance tax matters in the respective counties of this State, as classified in the act concerning fees and salaries, shall be as follows:

In counties of the first and second class, for services in all proceedings in each estate before the county judge, the clerk shall receive a fee of five dollars. In all such proceedings in counties of the third class, the clerk shall receive a fee of ten dollars. Such fees shall be paid by the county treasurer, on the certificate of the county judge, out of any money in his hands on account of said tax. In counties of the third class, the Attorney General of State may appoint an attorney, who shall be known as the "inheritance tax attorney," and whose salary shall be not to exceed three thousand dollars per year, payable monthly, out of the State treasury upon warrants drawn by the Auditor of Public Accounts, on vouchers approved by the Attorney General. In counties of the third class, the clerk of the county court may appoint a clerk in the office of the clerk of said court, to be known as the "inheritance tax clerk," whose compensation shall be fixed by the county judge, not to exceed fifteen hundred dollars per year, and not to exceed the fee earned in said office in inheritance tax matters, the surplus of such fees over said compensation so fixed to be turned into the county treasury. In addition to the above, the clerk of the county court shall be entitled, in all suits brought

for the collection of delinquent inheritance tax, and all contested inheritance tax cases appealed from the county judge to the county court, and in all appeals from the county court to the Supreme Court, the same fees as are now, or which may hereafter be, allowed by law in suits at law, or in the matter of appeals at law, to or from the county court, which fees shall be taxed as costs and paid as in other cases at law; and in all cases arising under this act, including certified copies of documents or records in his office, for which no specific fees are provided, the clerk of the county court shall charge against and collect, from the person applying for, or entitled to, such services, or certified copies, the same fees as are now, or which may hereafter be, allowed for similar services or certified copies in other cases in said court, and for recording inheritance tax receipts required to be recorded in his office, he shall receive the same fees which now are, or hereafter may be, allowed by law to the recorder of deeds for recording similar instruments.

§ 21 $\frac{1}{2}$. When any person interested in any property in this State, which shall pass by will or the intestate laws of this State, shall deem the same not subject to any tax under this act, he may file his petition in the county court of the proper county to determine whether said property is subject to the tax herein provided, in which petition the county treasurer and all persons known to have or claim any interest in said property shall be made parties. The county court may hear the said cause upon the relation of the parties and the testimony of witnesses, and evidence produced in open court, and, if the court shall find said property is not subject to any tax, as herein provided, the court shall, by order, so determine; but if it shall appear that said property, or any part thereof, is subject to any such tax, the same shall be appraised and taxed as in other cases. An adjudication by the county court, as herein provided, shall be conclusive as to the lien of the tax herein provided upon said property, subject to appeal to the Supreme Court of the State by the county treasurer, or Attorney General of the State, in behalf of the people, or by any party having an interest in said property. The fees and costs in all cases arising under this section shall be the same as are now, or may hereafter be, allowed by law in cases at law in the county court.

APPROVED May 10, 1901.

TAXES—EQUALIZATION AND EXTENSION.

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| <p>§ 1. Amends sections 117 and 128, act of 1872.</p> <p>§ 117. Rates—how computed.</p> | <p>§ 128. State taxes—how extended—all taxes other than State—how extended.</p> <p>Approved May 10, 1901.</p> |
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AN ACT to amend section one hundred and seventeen (117) and one hundred and twenty-eight (128) of "An act for the assessment of property and for the levy and collection of taxes," approved March 30, 1872, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That section one hundred and seventeen (117) and one hundred and twenty-eight (128) of "An act for the assessment of property and for the levy and collection of taxes," approved March 30, 1872, in force July 1, 1872, be amended so as to read as follows:

§ 117. All rates for taxes, hereinafter provided for, shall be computed by the county clerk on the assessed valuation of property, as equalized and assessed by the State Board of Equalization for State purposes, and on the assessed valuation of property, as equalized and assessed by the county board of review, and all property assessed by the State Board of Equalization for other taxes.

§ 128. State, County, Town, Road and Bridge, Village, City, District, School and All Other Taxes.] All State taxes shall be extended by the respective county clerks upon the property in their counties upon the valuation produced by the equalization and assessment of property by the State Board of Equalization. All other taxes shall be extended upon the valuation produced by the equalization and assessment of property by the county board of review, and all property originally assessed by the State Board of Equalization. In the extension of taxes the fraction of a cent shall be extended as one cent.

APPROVED May 10, 1901.

TAX RATE LIMITED TO FIVE PER CENT.

§ 1. Equalized valuation basis of determining tax rate—county clerks to disregard excess,

Approved May 9, 1901.

§ 2. County clerk to ascertain rate—Aggregate must not exceed 5 per cent—Exceptions.

AN ACT concerning the levy and extension of taxes.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That in determining the amount of the maximum tax authorized to be levied by any statute of this State the assessed valuation of the current year of the property in each taxing district, as equalized by the State Board of Equalization, shall be used. And if the amount of any tax certified to the county clerk for extension shall exceed the maximum allowed by law, determined as above provided, such excess shall be disregarded, and the residue only treated as the amount certified for extension.

§ 2. The county clerk in each county shall ascertain the rates per cent required to be extended upon the assessed valuation of the taxable property in the respective towns, townships, districts, incorporated cities and villages in his county, as equalized by the State Board of Equalization for the current year, to produce the several amounts certified for extension by the taxing authorities in said county (as the same shall have been reduced as hereinbefore pro-

vided in all cases where the original amounts exceed the amount authorized by law): *Provided, however*, that if the aggregate of all the taxes (exclusive of State taxes, village taxes, levee taxes, school building taxes, district school taxes, high school taxes, and all other school taxes, road and bridge taxes, and also bonded indebtedness taxes in cities whose bonded indebtedness exceeds ten per cent of the assessed valuation of the property therein upon which, under existing laws, taxes are required to be extended and taxes levied pursuant to the mandate or judgment of any court of record on any bonded indebtedness), certified to be extended against any property in any part of any taxing district or municipality, shall exceed five per cent of the assessed valuation thereof upon which the taxes are required to be extended, the rate per cent of the tax levy of such taxing district or municipality shall be reduced as follows: The county clerk shall reduce the rate per cent of the tax levy of such taxing district or municipality in the same proportion in which it would be necessary to reduce the highest aggregate per cent of all the tax levies (exclusive of State taxes, village taxes, levee taxes, and all other school taxes, road and bridge taxes, and also bonded indebtedness taxes in cities whose bonded indebtedness exceeds ten per cent of the assessed valuation of the property therein upon which, under existing laws, taxes are required to be extended and taxes levied pursuant to the mandate or judgment of any court of record on any bonded indebtedness), certified for extension upon any of the taxable property in said taxing district or municipality, to bring the same down to five per cent of the assessed value of said taxable property upon which said taxes are required by law to be extended: *Provided, further*, in reducing tax levies hereunder all school taxes levied in cities exceeding 100,000 inhabitants, with the exception of the levy for school building purposes, shall be included in the taxes to be reduced.

The rate per cent of the tax levy of every county, city, town, township, school district, park district, sanitary district, road district, and other public authorities (except the State), shall be ascertained and determined (and reduced when necessary as above provided), in the manner hereinbefore specified, and shall then be extended by the county clerk upon the assessed value of the property subject thereto as equalized according to law. In reducing the rate per cent of any tax levy, as hereinbefore provided, the rates per cent of all tax levies certified to the county clerk for extension as originally ascertained and determined under section one of this [act] shall be used in ascertaining the aggregate of all taxes certified to be extended, without regard to any reductions made therein under this section: *Provided*, that no reduction of any tax levy made hereunder shall diminish any amount appropriated by corporate or taxing authorities for the payment of the principal or interest on bonded debt, or levied pursuant to the mandate or judgment of any court of record. And to that end every such taxing body shall certify to the county clerk, with its tax levy, the amount thereof required for any such purposes.

In case of a reduction hereunder any taxing body whose levy is affected thereby, and whose appropriations are required by law to be itemized, may, after the same has been ascertained; distribute the amount of such reduction among the items of its appropriations, with the exceptions aforesaid, as it may elect. If no such election be made within three months after the extension of such tax, all such items, except as above specified, shall be deemed to be reduced pro rata.

APPROVED May 9, 1901.

ROADS AND BRIDGES.

ADDITIONAL TAX LEVY.

§ 1. Amends section 14, act of 1883.

Approved May 11, 1901.

§ 14. Need of greater levy certified to board of town auditors—consent in writing necessary—additional levy not to exceed forty cents on \$100—illegal to use for any other purpose than specified.

AN ACT to amend section 14 of an act entitled, "*An act in regard to roads and bridges in counties under township organization, and to repeal an act and parts of acts therein named,*" approved June 23, 1883, in force July 1, 1883.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 14 of an act entitled, "*An act in regard to roads and bridges in counties under township organization, and to repeal an act and parts of acts therein named,*" approved June 23, 1883, in force July 1, 1883, be amended to read as follows:

§ 14. If, in the opinion of the commissioners, a greater levy is needed, they may certify the same to the board of town auditors and the assessor, a majority of whom shall be a quorum, and with the consent of a majority of this entire board given in writing, definitely and specifically directing the particular purpose or purposes to which the same shall be solely applied, an additional levy may be made of any sum not exceeding forty cents on the one hundred dollars of taxable property of the town. If the commissioners shall use any part of the funds so authorized by said written consent for any other purpose than that therein specified without the further written consent of said board, they shall be deemed to have illegally appropriated the same, and shall be liable accordingly.

APPROVED May 11, 1901.

LOCATION OF ROADS.

§ 1. Amends act of 1883.

Approved May 11, 1901.

§ 55. Order for location rescinded—
when.

AN ACT to amend "*An act in regard to roads and bridges in counties under township organization, and to repeal an act therein named,*" approved June 23, 1883, in force July 1, 1883.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 55 of "*An act in regard to roads and bridges in counties under township organization, and to repeal an act and parts of acts therein named,*" approved June 23, 1883, in force July 1, 1883, be amended to read as follows:

§ 55. If such road or cartway shall not be opened by the petitioners within two (2) years from the time of making the order for the location of the same, such order shall be regarded as rescinded: *Provided*, that when the failure to open such road or cartway is caused by the failure, neglect or refusal of the highway commissioners, or board of town auditors, to determine, certify or make any necessary tax levy, as provided in sections 13, 14, 15 and 16 of this act, then and in that case, the time of pendency of any proper legal proceedings taken to compel such highway commissioners, or board of town auditors, to perform such duties shall not constitute any part of said two (2) years.

APPROVED May 11, 1901.

ROADS AND BRIDGES IN COUNTIES NOT UNDER TOWNSHIP ORGANIZATION.

§ 1. Right of way—penalty—proviso.

§ 15. Supervisors, notification of—duties.

§ 2. Drunken drivers—liability of owner—penalty.

§ 16. Private roads or cartways provided for.

§ 3. Drunken drivers—passenger's notice to owner—penalty.

§ 17. Change or relocation of road provided for.

§ 4. Rapid driving prohibited—penalty.

§ 18. County-line roads—how located, changed or vacated.

§ 5. Leaving horses unhitched—penalty.

§ 19. Remonstrances to be considered by county board.

§ 6. Owners liable for driver's negligence—penalty.

§ 20. Survey of roads—recording of plat, etc.—width of roads.

§ 7. "Carriage" defined.

§ 21. Viewers, duties and oath.

§ 8. Municipal ordinances respected. Jurisdiction of Justices of the Peace.

§ 22. County surveyors may act as reviewers.

§ 9. "Public roads" defined.

§ 10. New roads, opening of—application for—viewers—deposit.

§ 23. Damages to lands of corporations, etc.—jury may assess—mode of procedure—appeals—costs—abandonment of proceedings.

§ 11. Duties of county board.

§ 12. Viewers, appointment and duties.

§ 24. Obstruction of roads—penalty—proviso.

§ 13. Claims for damages.

§ 14. Vacation of roads provided for.

§ 25. Penalty, how recovered.

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Approved May 10, 1901.

AN ACT in regard to roads and bridges in counties not under township organization and to provide for the adoption of the same.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That whenever any persons traveling in carriages or other conveyances shall meet on any turnpike, road or public highway in this State, the persons so meeting shall reasonably turn their carriages or other conveyances to the right of the beaten track, so as to permit each carriage or other conveyance to pass without interfering or interrupting, under the penalty of \$5 for each and every neglect or offense, to be recovered by the party injured: *Provided*, that this section shall not be construed to apply to any case unless some injury to persons or property shall occur by the driver of the carriage or other conveyance refusing to turn to the right of the beaten track, nor shall it be construed to a case where it is impracticable, from the nature of the ground, for the driver of the carriage or other conveyance to turn to the right of the beaten track.

§ 2. No person owning any carriage or other vehicle running or traveling upon any road in this State for the conveyance of passengers shall employ or continue in employment any person to drive such conveyance who is addicted to drunkenness or the excessive use of spirituous liquors; and if any such owner shall violate the provisions of this section after he shall have had notice and reasonable proof that such driver is addicted to drunkenness, he shall forfeit, at the rate of \$5 per day, for all the time during which he shall thereafter have kept any such driver in his employment, to be sued by any persons and collected in any court having competent jurisdiction; and the court may allow a portion of said penalty, not exceeding \$25, to be retained by such complainant as a compensation for his services and expenses, the balance to be paid into the county treasury.

§ 3. If any driver while actually employed in driving any carriage or other conveyance shall be guilty of intoxication to such a degree as to endanger the safety of the passengers in the carriage or other conveyance, or any other traveler, it shall be the duty of the owner of such carriage, on receiving written notice of the fact, signed by any one of the said passengers, and certified by him on oath, forthwith to discharge such driver from his employment; and every such owner who shall retain, or have in his employ, within thirty days after the receipt of such notice, any driver who shall have been intoxicated, shall forfeit at the rate of \$5 per day for the time during which he shall keep any such driver in his employment, after receiving such notice, to be sued for and applied as directed in section two (2) of this act.

§ 4. No person driving any carriage or other conveyance upon any turnpike, road or public highway within this State, with or without passengers therein, shall run his horse or horses, or permit the same to run, upon any occasion or for any purpose whatever, except in case of necessity; and every person who shall offend against the provisions of this section shall be deemed guilty of a misdemeanor and, on conviction thereof, shall be fined not exceeding \$100, or imprisoned not exceeding sixty days, at the discretion of the court.

§ 5. It shall not be lawful for the driver of any carriage or other vehicle used for the purpose of conveying passengers for hire to leave the horses attached thereto, while passengers remain therein, without making such horses fast with sufficient halter, rope or chain, or by placing the lines in the hands of some other person, so as to prevent their running, or if any such driver shall offend against the provisions of this section, he shall forfeit the sum of \$20, to be recovered by action to be commenced within six months, and unless the amount of such recovery be paid forthwith, execution shall be immediately issued therefor.

§ 6. The owner of every carriage or other conveyance running upon any turnpike, road or public highway, for the convenience of passengers, shall be liable, jointly or severally, to the party injured, in all cases, for all injuries or damages done by any such person in the employment of such owners as a driver, while driving such car-

riage or other conveyance, to any person or to the property of any person, and that whenever the act occasioning such injury or damage be willful, negligent or otherwise, in the same manner as such driver would be liable. Any driver of any mail stage coach or any other vehicle for the conveyance of passengers, wilfully offending against the provisions of this act shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be fined not exceeding \$300, or imprisoned not exceeding four months.

§ 7. The term "carriage," as used in this act, shall be construed to include stage coaches, wagons, carts, sleighs, sleds and every other carriage or vehicle used for the transportation of passengers or goods, or either of them.

§ 8. Nothing contained in this act shall interfere with or effect [affect] any law concerning hackney coaches or carriages, bicycles or automobiles, in any of the cities of this State, nor interfere with or affect the law or ordinance of any such city for the licensing or regulating such coaches or carriages, bicycles or automobiles. Justices of the peace shall have jurisdiction in all cases arising under this act where the penalty does not exceed \$200.

§ 9. All roads within this State, which have been laid out in pursuance of any law of this State, or the Territory of Illinois, or which have been established by dedication or used by the public as a highway for twenty years, and which have not been vacated in pursuance of law, are hereby declared to be public highways.

§ 10. No new road shall be opened by order of the county board unless the same shall be applied for by at least fifteen voters residing within five miles of the road proposed to be laid out or altered. Such applicants shall deposit with the county clerk a sufficient sum of money to pay the viewing. If the report of the persons appointed to view such road be in favor of establishing the road, the money so deposited shall be returned to the persons who deposited the same; but if the report be unfavorable, the expense of the view shall be paid out of the money so deposited.

§ 11. It shall be the duty of the county board, upon the presentation of the petition for the location or relocation of the road, to inquire into the manner in which the same was gotten up, if signed by the individuals through whose land the same may pass, as far as practicable, and require proof and be satisfied that the notices required by law of such intended application have been given, in view that the owners of land which may be damaged shall have notice thereof.

§ 12. When a new road shall have been applied for, as aforesaid, the county board shall, if in their opinion the public good and convenience require it, appoint three disinterested persons to view the ground proposed for the same; and if, after such [view, the] viewers shall believe the road applied for to be necessary, taking into consideration the expense of constructing the same and its utility to the public, they shall proceed to locate and establish the same on the nearest and most eligible route, from point to point given, having due regard to private property, causing the same to be surveyed, designating its

course through prairies and improved land by fixing stakes in the ground, and through timbered land by marking trees, and shall make report thereof to the next session of the county board; but after the view, if they deem such road unnecessary or improper to be made, they shall report their opinions to that effect to the next session of said board.

§ 13. Viewers in locating a road shall ascertain, as far as practicable, where damages will be claimed, and report the names of individuals claiming the same to the county board at the time of making their report. It shall be incumbent on such owners of property, by themselves or agents, to inform the board at the next term at which the road viewers shall report their claims for damages; and no damages shall be allowed, unless claims be made to the county board as aforesaid, or to the supervisor, commissioner or superintendent, appointed to open the road, as provided by law. After a road shall be open, and no claims for damages being set up, the State or county shall not be liable for any damages whatever.

§ 14. Whenever it shall be presented to the county board, by petition of fifteen voters, that a public road established by said board or any part thereof, is useless or burdensome, the said board, upon a sufficient sum of money being deposited with the clerk to pay the expenses of a review (such money to be returned if the road shall be declared useless,) shall appoint three suitable and disinterested persons to view the same, who shall report to said board, at the next term after such appointment, whether such road be useless and burdensome, together with their reasons for such opinion; and the county commissioners may then order said road to be vacated if, in their opinion and discretion, they shall deem such order proper: *Provided*, that no petition praying for the establishment or vacation of a public road shall be received by said board unless the same petitioners, or some of them, shall have given twenty days' public notice of such application, by a written notice, posted up in the most public place in each road district through which the road shall pass, and a like notice particularizing the route and important points, on the door of the court house and of the county clerk's office, should it be kept in a separate building.

§ 15. Whenever a new road shall be located the county board shall immediately cause the supervisors of each district through which such road shall pass to be notified of such location; and it shall be the duty of such supervisors to open such road within their respective districts, and keep the same in repair, so far as the labor of the persons bound to work on said road shall enable them, and if such labor be insufficient, the county commissioners shall cause the same to be cut out and opened at the expense of the county whenever, in their opinion, the funds of the county will justify such expense, and, after being so opened, the same shall be kept in repair by the supervisors, as in other cases: *Provided*, that no new road shall be considered located nor opened until the cost of condemning the land for such road shall have been ascertained, as provided in section twenty-three of this act, and paid.

§ 16. Roads for private and public use, of the width of three rods or less, may be paid [laid] out from the dwelling or plantation of an individual to any public road, or from one public road to another, or from a lot of land to the highway, on petition to the county board by any person directly interested, setting forth in writing a description of the road, names of the owners of the lands, if known, and if not known it shall be so stated, over which the road is to pass, and the point at which it is to terminate. The petitioner or petitioners shall also give to each person residing in the county over whose land such cartway is desired to pass at least twenty days' notice of the intention to present such petition, and shall also, twenty days before the time for the presentation of such petition, post such notice on the court house door in such county. The serving and posting of such notice may be proven by affidavit of the person serving or posting the same, or by other legal evidence. There shall also be deposited with the county clerk a sufficient sum of money to pay for the viewing and surveying such cartway. The county board may, after hearing the objections to such petition, if any, appoint three disinterested freeholders to view the same, and if such viewers, or a majority of them, shall be of opinion that the prayer of such petitioner or petitioners should be granted, they shall cause a survey and plat of such cartway to be made by a competent surveyor, who shall report such survey and plat, giving the courses and distances, and specifying the land over which the said cartway is to pass. And if, after hearing the objections to such report, if any, the board shall be of the opinion that such cartway is necessary and right, an order shall be made establishing the same: *Provided*, that if any owner of land shall object to the opening of such cartway, the same shall not be opened by the person or persons desiring the same until such owner objecting shall be paid all the damages to be sustained by the opening thereof, and in case the parties can not agree on the amount of damages, they shall be ascertained by a jury as in other cases, and the damages being paid on final decision, or a sufficient sum deposited with the county clerk for that purpose, the petitioner or petitioners, their heirs and assigns, shall have the right to open such cartway, and the same shall be kept open for the public use: *Provided*, that if such cartway shall not be opened by the petitioner or petitioners, their heirs or assigns, the full width, within two years from the time of making the order for the location of the same, such order shall be regarded as rescinded: *And provided, also*, that if such petitioner or petitioners, their heirs or assigns, shall fail to keep such cartway in sufficient repair for use as such, or shall suffer the same to become useless; or when such road or cartway no longer be necessary, then the right of way thereto shall revert to the owner or owners of the freehold. And the board may, upon the petition of such owner or owners, enter an order vacating such cartway. An appeal may be taken from the final order of such board, either in establishing or vacating such cartway, within such time and upon such terms as the board may direct.

§ 17. Whenever any person or persons desiring a change or relocation of any State or county road now located, notice of such intended application shall be given by putting up advertisement, writing, at least one in each road district through which said road shall pass, and on the court house door, twenty days previous to session of the county board to which application shall be made; and on the petition of thirty-five qualified voters living immediately in the vicinity of such road, the board shall appoint three viewers to examine and make the necessary relocations. They shall carefully view the road as located and the grounds for the proposed route, and being of the opinion that the public good requires the alteration, in view of obtaining a more suitable place to erect a bridge over a stream, wind a hill, avoid a swamp, expensive work, or where the road greatly damages an individual and can be varied without material damage to the public, in such cases alterations may be made; and a majority of said viewers being of that opinion, they shall cause a survey and relocation to be made, returning to the county board a plat with the course and distances of the road as established. But, if they consider an alteration not necessary, they shall so report, and the board may confirm and accept the report, or take such further action thereon as to them may seem right. In like manner, any State road now established may be considered useless or burdensome, on notice or petition, view and report to that effect, as required in this section in case of an alteration, the same may be annulled and vacated.

§ 18. When it shall become necessary to have a State or county road now located and established altered, or relocated, or vacated at a county line, or a new road laid out, the same being petitioned for and notice given as required in the preceding section, the same shall be agreed upon by reviewers from each county, to be appointed by the counties immediately interested; and no road shall be altered at a county line or elsewhere unless a majority of the viewers appointed agree on such change or alteration: *Provided*, that no application shall be acted upon or viewers appointed, as contemplated in the preceding section, unless the petitioners deposit money sufficient to pay the reviewers in case an unfavorable report be made, to be refunded should the road be located, altered or vacated as petitioned for. In case of a disagreement in the location or alteration of any road crossing a county line by the county authorities, either county may appeal to the circuit court of their county, which court shall hear and determine the case, grant a review, appoint reviewers, and make such order therein as shall seem right in the establishment of the road in dispute.

§ 19. In all cases where a petition is presented to the county board praying for a change, alteration, location or vacation of a county road as provided for in this act, if there shall be remonstrances presented against granting the same, it shall be the duty of said board to give due consideration both to the petition and remonstrance, and grant or refuse the prayer of said petitioners as [in] their discretion shall be just and proper.

§ 20. All the roads shall be surveyed, and a plat with the courses and distances thereof, returned with the report of the viewers to the board of county commissioners, which shall be recorded and filed. The county board, on the return of the report and plat, shall determine and establish on record the width of the road, making the main leading roads four rods wide, and no other roads less than fifty feet, except where a less width is prayed for in the petition, in which case the board of county commissioners may fix the width at less than fifty feet, but not less than thirty.

§ 21. In the location and alterations of all roads it shall be the duty of the viewers to make the same as direct as the ground and circumstances will allow, particularly the main leading roads. Previous to entering upon their duties they shall be sworn before some officer authorized to administer oaths that they will faithfully, impartially and to the best of their judgment discharge the duties incumbent on them as road reviewers under the law and appointment of the board.

§ 22. County surveyors may act as road reviewers in their respective counties without further qualification, and may administer the proper oath of office to other road reviewers who may be associated with them or otherwise.

§ 23. In cases where a public road or cartway shall have been, or may be, authorized by law to be laid out or constructed in any part of this State not under township organization, and the same is required to pass over land belonging to any company, corporation or individual, and the owner or owners are incapable in law of contracting, or do not agree with the commissioners, superintendent or surveyor authorized to construct the said road on the amount of damages resulting to said owner or owners by reason of the opening and construction of said road, it shall be lawful for the county commissioners, supervisor or superintendent to make application to the nearest justice of the peace in the precinct where said land is situated for a jury to assess damages; said justice commanding him to summon such owner or owners to appear before him at a time and place to be specified in said summons, not less than five nor more than fifteen days from the date thereof, for the purpose of having such damages assessed. Said summons shall be under the hand of said justice, and shall be served as now or hereafter may be provided by law for the service of summons in civil action before justices of the peace. At the same time said justice shall issue a venire to said constable, commanding him to summon a jury of six freeholders of said county to appear before him on the day when said summons is returnable, to assess the said damages. On the return day of said summons (unless good cause is shown for a continuance,) the said justice shall proceed to impanel said jury, who shall be sworn to faithfully and impartially assess and report the damages which such owner or owners may sustain by reason of construction of said road. The said jury shall hear any competent evidence in regard to said damages offered by either party, and the impaneling of said jury and the proceedings before said justice and jury shall be in all respects as in other civil cases be-

fore justices of the peace, except that on demand of either party the said jury shall personally examine the land damaged. The same jury may assess the damages of any and all of the owners of lands over which the road shall pass, if agreed by the parties. The jury shall return to said justice a written verdict, specifying the amount of damages to be paid to the owner or owners, and the justice shall enter the same, together with the other proceedings, upon his docket, and shall also enter judgment upon his docket. In case the owner or owners of such lands is a minor, lunatic or insane person, the summons shall also include the name of the guardian or conservator, if there be one. If the owner is a non-resident of the county, then the said justice, upon the return of said summons "not found," shall continue the said case for not more than thirty days, and shall post three notices in three of the most public places in said precinct, and one upon the door of the court house of said county, which notice shall give the time and place when the assessment hereinbefore provided shall be made, and shall be posted at least twenty days before the time fixed for said assessment. Said justice shall also forward a copy of said notice, by mail, to said owner or owners, if his or their residence be known to him. Appeals may be taken to the circuit court from the assessment of juries, and the judgment entered thereon by either party, in the same manner as appeals are or may be taken from justices of the peace in civil cases. All cases of public roads under the provisions of this act shall be docketed: "The county of vs. (the owner or owners of the land)," and whenever the county board shall desire to take an appeal, the chairman or presiding officer of said county board shall execute the bond for and on behalf of the county. In case of cartways or private roads, all cases shall be docketed, the petitioners or plaintiffs, and the owner or owners of the land as defendant, and the plaintiffs shall execute bond on appeal. Upon payment or tender of the amount of damages awarded by the verdict of the jury to the owner or owners of land damaged, the guardian, if such owner is a minor, the conservator, if such person is an insane person, or to the county treasurer, if the owner is a non-resident of the county, or incapable in law to receive said money, the said road may be opened by the proper authority, and the title of the land vested in the public for the uses specified in the petition: *Provided*, that in case of an appeal, the opening and construction of the road shall not be delayed thereby, nor shall the title of the land vest in the public, for the use specified in the petition, until payment or tender shall be made, as above provided, of the amount of damages which shall be awarded by the final judgment of the court. The costs of all proceedings before the justice shall be borne by the county in case of a public road, and by the person petitioning in case of a private road or cartway. If the owner of the land appeal, and the assessment made by the jury be not increased in the circuit court, then such owner shall pay all costs of appeal. If the county or petitioner for a cartway appeal from any assessment by jury before a justice of the peace, and the county or such petitioner do not reduce said assessment, the county or such petitioner shall pay all costs of appeal: *Provided*, that it shall be in the power of the county

board or petitioner, in case of a cartway, after final judgment, in case of a public road or cartway, to abandon all proceedings in and about the opening of said road or cartway, if they or he deem the damages too great.

§ 24. If any person shall obstruct any public or private road by falling a tree or trees across the same, or by encroaching upon or fencing up the same (except for the purpose of raising a hedge, in which case not more than one-fourth of the width of the road shall be occupied for such purpose,) or by placing any other obstruction, or depositing any garbage or other offensive matter therein, he shall forfeit for any such offense a sum not exceeding \$10, and a sum not exceeding \$3 for every day he shall suffer such obstruction to remain after he shall have been ordered to remove the same by any supervisor, county commissioner or justice of the peace; and if any person shall purposely destroy or injure any bridge or causeway, or remove any of the timber or planks thereof, or destroy or deface any guide board, post or mile stone, or any notice put up by order of the county board, or any public or private road, or dig any drain or ditch across a public or private road, such person so offending shall be indicted or sued before a justice of the peace, and on conviction shall be fined in a sum not less than \$5 nor more than \$100, except bridges, which shall be double the value thereof, and for burning a bridge, to be punished agreeably to the criminal code: *Provided, however,* that this section shall not be construed to extend to any person who shall lawfully cut down any timber for rails, firewood or other purposes, and who shall immediately remove the same out of the road, nor to any person through whose land a road shall run who shall dig a ditch or drain across such road and keep the same in good repair.

§ 25. If any person or persons shall obstruct any public or private road in the manner provided in section 24 of this act, the penalty provided for in said section may be recovered either by an indictment or in an action of debt, before any justice of the peace of the county in which the offense was committed, which action may be brought upon the complaint or information of any person who may complain for the use and benefit of the county.

§ 26. If any person shall impair any public or private road by plowing or turning a current of water so as to saturate or wash the same, he shall forfeit and pay a fine, for the first offense \$5, and for the second offense \$10, and at that rate for every additional offense; which fines shall be collected either before a justice of the peace or by indictment in the circuit court, as now provided by law.

§ 27. If any person shall ride, lead or drive any wagon, carriage, dray, cart or other vehicle or conveyance, or any horse, mare, mule or ox or other animal over, on or across any public bridge used by the public within the limits of this State faster than a walk, he shall forfeit and pay for each offense the sum of \$5, which penalty shall be collected either before a justice of the peace or by indictment in the circuit court, as is provided by the last preceding section: *Pro-*

vided, that this act shall not apply to bridges less than twenty-four feet span.

§ 28. The county boards of the several counties in this State not under township organization shall have, and are hereby vested with, general superintendence over the public roads within their respective counties, repair and improve same by contract or otherwise, and are hereby authorized to cause new roads to be located and made and to alter and vacate public roads within their respective counties in the manner in this act provided and pointed out.

§ 29. The county boards in counties not under township organization, of each county, shall at their December session, or as soon thereafter as may be, in each and every year, lay out and divide their respective counties into such road districts as they may deem convenient and proper, defining accurately the boundaries of said districts; and they shall appoint one supervisor in each district, who shall serve one year and continue in office until a successor shall be appointed.

§ 30. It shall be the duty of the county clerk in counties not under township organization to make out and deliver to the sheriff written notices of [to] all supervisors, as aforesaid, within ten days after such appointment has been made, informing them of their appointment, describing the bounds of their respective districts and the roads therein; and the said sheriff shall immediately deliver the said notices to the persons to whom the same shall be directed respectively; and if any such supervisor shall refuse to accept said appointment, the sheriff shall return the said notice to the clerk who issued the same, noting such refusal on the back thereof. But if the said supervisor shall agree to accept the same, such supervisor shall, within fifteen days thereafter, return to the county clerk a list of the names of all persons residing within the road district liable to be taxed for road purposes; and the said sheriff shall notify the said clerk of such acceptance. And the sheriff shall, in all cases, make return of acceptance or refusal within twenty days after the delivery to him of the notice aforesaid. For any failure on the part of the clerk to make out and deliver to the sheriff any one of the notices required by this section he shall be fined in the sum of \$10; and the sheriff shall incur the same penalty for a failure to deliver any one of the said notices in the manner and within the periods herein prescribed: *Provided*, that the supervisors shall not be required to make such return of taxpayers, unless the county board shall order, at a regular meeting of the said board: *Provided, further*, that any board of county commissioners are hereby authorized and empowered to open and keep in good repair all public highways in their respective counties, and to build and keep in repair all bridges, either by taxation, in whole or in part, or by labor in part and taxation in part, as they may elect.

§ 31. When any person shall refuse to accept the appointment as supervisor, or after having accepted the same shall fail to execute bond and to perform the duties thereof, he shall be fined \$5, to be appropriated to road purposes: *Provided*, that the county board

may excuse any supervisor from the payment of said fine upon being satisfied that such person ought not to have been appointed. The county board shall have power, at any time, to remove from office any supervisor who shall fail or refuse to perform his duty, and all vacancies shall be filled at the session of the board at which any removal shall be made or any vacancy occur.

§ 32. It shall be the duty of each supervisor to cause all public roads within his district to be kept well cleared, smooth and in good repair, causing all stumps to be cut low, so as to afford at all times a free and safe passage to wagons and other carriages along said road, to prevent thistles, burdock, cockle burrs, gypsum and all other noxious weeds, from growing upon the public highways, and to extirpate the same, as far as practicable; to cause bridges and causeways to be made whenever the same shall be necessary, and to keep the same in repair, and cause to be erected and kept in repair, at the forks or crossing place of every public road, a post and guide boards, with plain inscriptions thereon, in letters and figures, giving the direction and distances to the most noted places to which said road may lead.

§ 33. Whenever any public road shall be obstructed by falling timber, or in any other manner, and when any bridge or causeway shall be destroyed, or become impassable or dangerous to travelers, it shall be the duty of the supervisor to cause such obstruction to be removed, and to have such bridges or causeways rebuilt or repaired: *Provided*, that the cost thereof shall not exceed \$10, and if the cost of such work shall be estimated by said supervisor to exceed \$10, then he shall report such obstruction or damages to any one or more of the county commissioners, whose duty it shall be immediately to cause such obstruction to be removed, or such bridge or causeway to be rebuilt or repaired, as the case may be, either by ordering the supervisor to hire laborers and teams for that purpose, or by making a contract with some fit person or persons, as they may deem best; and all moneys required to carry any of the provisions of this section into effect shall be paid out of the county treasury on the order of the county board.

§ 34. At the March meeting of the board of county commissioners they shall make a list of the men in the several road districts between the ages of twenty-one and fifty years who are able to perform ordinary manual labor, and deliver the same to the supervisor of said district on or before the first day of April in each year, and assess at such meeting against each person upon such list a sum not less than one dollar nor more than five dollars as a poll tax for highway purposes, to be paid to the supervisor by the first Monday in June of each year: *Provided*, that paupers, idiots and lunatics, ministers of the gospel in actual charge of a church or parish, and school officers serving without compensation, shall not be compelled to pay poll tax for highway purposes: *Provided, further*, that this list shall not include persons within the limits of cities or incorporated villages. The supervisor shall, within ten days after such list is delivered to him, cause written or printed, or partly written and partly printed,

notices to be posted in at least three public places in such district, stating the time when and the place where he will be in such road district for the purpose of collecting poll tax, which notices shall be posted at least fifteen days before the time fixed for the collection of such poll tax, and said notices shall be deemed a sufficient demand for said poll tax. It shall be the duty of the supervisor to make out and present to the commissioners at their regular meeting in June of each year a list of those who have not paid their poll tax and the reasons, if any were rendered, why such person or persons have not paid. If it shall appear that any of such delinquents are poor persons and unable to pay their poll tax, but are willing to labor upon the roads of such district, the commissioners may permit such poor person to work out his poll tax upon the roads of the district at one dollar per day. The supervisor shall, within twenty days after the regular meeting in June of each year, make a complaint, under oath, before any justice of the peace of his county, against each person who has not paid his poll tax, unless good cause be shown why such complaint should not be made, and such justice of the peace shall thereupon issue his warrant to any constable of his county against such person complained against, and shall, upon his arrest, proceed to hear and determine the cause according to law, and in case the issue be found against the defendant, he shall be fined in a sum not exceeding \$25 and not less than double the amount which shall appear to be due from him for poll tax, and he shall stand committed to the county jail until fine and costs are fully paid: *Provided*, that such person so committed may be discharged from custody upon paying the costs of suit and entering into bond, with good security in double the amount of such fine, to be approved by the justice of the peace, conditioned that such delinquent shall, within thirty days from the date thereof, discharge such fine in money or road labor under the direction of the supervisor of such road district. All moneys collected under the provisions of this act shall be paid to the supervisor of the district, and by him reported to the commissioners at their next regular meeting.

§ 35. The supervisor shall receive and have charge of all poll tax collected and received for the maintenance of roads and bridges, and for road and ditch damages, and keep a correct account thereof, and do and perform such other duties as may be required by the county commissioners. He shall execute a bond in double the amount of moneys likely to come into his hands, with good and sufficient security for all moneys coming into his hands by virtue of this act, conditioned that he will faithfully discharge his duties as such supervisor; that he will honestly and faithfully account for all moneys coming into his hands as such supervisor under the direction of the county commissioners. Before receiving these funds he shall give this bond to the county, to be approved by the commissioners, and filed in the office of the county clerk with such approved [approval] endorsed thereon: *Provided*, that if, from any cause, the commissioners shall deem the bond so given insufficient, they may require a new bond: *And, provided further*, that the commissioners shall have the right to fix any other sum to be required in any new bond so given.

§ 36. The county board in counties not under township organization, in addition to the work required in the foregoing section (34), shall, at the September session, annually, assess a road tax of not more than fifty cents on each one hundred dollars' worth of taxable property, real and personal, or either, within their counties; and a column in the tax book shall designate the amount of such road tax due from each person from whom the same is to be collected; which tax shall be collected by the collector as other county revenue, and paid into the treasury in like manner; and the county board shall appropriate the same on roads and bridges, and the purchase of necessary tools, implements and machinery for working the roads within the road district from which said taxes may be collected, or so much of it as the supervisor of said district shall deem necessary to keep the roads and bridges of such road district in good repair, and all overplus, if there be any, shall be paid into the county treasury: *Provided*, that the above assessment herein for road purposes shall not be calculated as a part of the constitutional limit for county purposes.

§ 37. When any city, town or village has, or may become, incorporated under a special law, or make a general law authorizing cities, towns and villages to become incorporated, no requisition in labor or money from the citizens thereof on property within said corporation shall be required to improve roads in the county different from the grant in the charter, but they shall be required to work and pay a tax to improve the streets and roads, and such improvements as shall be specified in the charter or within the limits of the incorporation, so long as the charter or incorporation shall remain in full force. In all towns and villages not incorporated, the citizens thereof shall contribute in labor and tax, when assessed by the county board of the county, in improving the streets of the town or village and public roads of the road districts, including the same, under the supervisor.

§ 38. The supervisors may sue, in the name of the county, for all labor or money due under the provisions of this act from each person residing within their respective districts, which labor or money remains unpaid after notice shall have been given, and a failure to settle the same, as provided in the foregoing sections. In all cases the supervisor shall be a competent witness in suits brought as above stated. An appeal may be taken to the circuit court by either party, as in other appeals from justices of the peace.

§ 39. Supervisors are hereby authorized to bring suits before any justice of the peace of the county to recover any and all sums due for road labor, fines, forfeitures or other penalties imposed by this act, which are intended to come into the hands of such supervisor for road purposes, and to collect, disburse and account for the same, suing in the name of the county.

§ 40. All suits, actions and proceedings necessary to be had on any right or cause of action for failure to perform road labor, or pay fines, forfeitures or other penalties imposed by this act, or to enforce any contract or promise in reference to the opening or repairing of

public roads, shall be had in the corporate name of the county wherein the right of action occurred: *Provided*, that no suit shall be dismissed on account of informality in the name of the plaintiff, but the court may, on application, permit the record to be amended [so] as to place the name of the proper plaintiff on record.

§ 41. Every supervisor shall collect all labor tax or other dues, and close the work by the first Monday of December annually; all grading shall be done before the first of September in each year, and no new road work, not absolutely necessary, shall be commenced after that date.

§ 42. At the December session, annually, of the county board, each supervisor shall make, under oath, a report showing the whole number of days' work that has been done in his district during the year, by whom done, the amount of money by him received, from whom received, and on what account received, due on roads, the amount paid out by him in constructing roads, with the vouchers accompanying; at which session he shall make a settlement with the board.

§ 43. The supervisors of the road districts are hereby authorized to enter upon any land adjacent to any highway in their respective districts for the purpose of opening any ditch, whenever it shall be necessary to open a water course from any highway to the natural water course; and to dig, open and clean ditches upon said land for the purpose of carrying off the water from said highways; or to drain any slough or pond on said highways: *Provided*, that unless the owner of such land, or his agents, shall first consent to the cutting of such ditches, the supervisor shall apply to any such justice of the peace of the county in which such road is situated for a summons, directed to any constable of said county, commanding him to summons the said owner to appear before the said justice at a time and place specified in such summons, not less than five nor more than fifteen days from the date thereof, for the purpose of having the damages assessed which such owner may sustain by reason of the digging or opening of such ditches or drains. The said summons shall be under the hand of such justice and be served in the same manner as summons is now served in civil actions before justices of the peace. On the return of such summons a venire, if required by either party, shall be issued for a jury, as in other cases, which jury shall assess such damages and render a verdict therefor, which shall be final and conclusive, of the amount of damages sustained by such person, and the amount so awarded shall be paid out of the county treasury on the order of the commissioners. And the supervisor shall be warranted, and he is hereby empowered, to enter such lands and dig, open and clean such drains, ditches and water courses aforesaid, for the purpose contemplated in this act; and he is further authorized to use and employ the labor and money of his district for such purposes: *Provided*, that in case the owner of said lands is a

non-resident, service may be had by leaving a copy with the occupant or agent, or by notice in the same manner as prescribed in proceedings for opening roads.

§ 44. Supervisors are hereby authorized to hire teams to do the necessary hauling, plowing and scraping or grading, to contract for material for building bridges, causeways, erecting guide boards, for repairing grades, [graders], scrapers, plows and other implements, and repairing roads in discharge of labor tax due; and so far as funds shall come into their possession procuring said teams, materials, implements and work on the best possible terms, but all contracts made under this section, exceeding in amount \$10, shall be first approved or ordered by the county board: *Provided*, that nothing herein contained shall prevent the supervisors from extending [expending] within their road district the road labor or money collected in lieu thereof.

§ 45. Any supervisor who neglects to keep the roads in his district in good repair agreeably to the provisions of this act, or fails to perform any other duty herein required, shall be liable to indictment, and on conviction thereof shall be fined in a sum not less than \$5 and not exceeding \$50, to be expended on some road within the district of such supervisor.

§ 46. It shall be the duty of the supervisors to take good care of the graders, scrapers, plows and all other implements belonging to the county in their charge, and not to lend the same unless to aid in constructing public roads within the county. Any person who shall violate the provisions of this section shall forfeit and pay a fine of not less than \$3 or more than \$10.

§ 47. All poll tax not paid or worked out on or before the first day of July, annually, shall thereafter only be worked out in destroying noxious weeds growing upon the public highway, under the direction of the supervisor.

§ 48. Sheriffs, county clerks, surveyors, viewers and supervisors shall be allowed a fair and reasonable compensation for discharging the duties required of them by this act, to be paid out of the county treasury on the allowance and order of the county board.

§ 49. All power, jurisdiction and control is hereby given to the county boards of the several counties of and concerning the State roads, located directly by the State, and all other roads, and the same shall be opened, improved and kept in repair as county roads, subject to alteration, change and relocation, as hereinbefore pointed out.

§ 50. The county boards of the several counties of this State shall have the supervision and control of all roads and public highways within their respective counties, and it shall be their duty to keep the same in good repair and to improve them as far as practicable. Whenever the available means at their disposal will permit, they shall construct permanent roads, beginning where most needed. The work on all roads shall be done timely and in accordance with the best known methods of road-making, by proper grading and thorough drainage by tile or otherwise, as may be expedient, and by the appli-

cation of gravel, rock or other material. The county board shall make such rules and regulations as may be necessary to carry this act into proper effect.

§ 51. In addition to the notices now required by law in proceedings for locating, laying out and opening public roads, similar notices shall be served upon any railroad company across or alongside of whose railroad it may be proposed to locate a public road: *Provided*, that this act shall not apply to proceedings for opening streets in cities, towns and villages.

§ 52. The notices, as required by this act, shall be served upon the station agent of any such railway company nearest the proposed location of such proposed public road.

§ 53. Any tax or moneys collected by the sheriff and county collectors, or to be collected by said sheriffs and county collectors, of the various counties voting to adopt the principles of this act, as hereinafter provided, for road and bridge purposes, under the provisions of an act entitled, "An act to provide for the organization of road districts, the election and duties of officers therein, and in regard to roads and bridges in counties not under township organization, and to repeal an act and parts of an act therein named," approved May 4, 1887, and in force July 1, 1887, shall be paid into the county treasury by said sheriffs and county collectors, and the county board shall distribute the same to the supervisors of the various road districts from which it was or may be collected, as near as may be, to be by them expended in improving the roads in their respective districts.

§ 54. The clerks of the various road districts in counties not under township organization shall, immediately after the adoption of this act, deliver to the county clerks of their respective counties all records, books and papers pertaining to road matters in their respective road districts; and such records, books and papers shall thereupon become a part of the records in the office of said county clerks. The said clerks of said road districts shall, at the same time, pay to the county treasurers of their respective counties all moneys in their hands as ex-officio treasurers of the commissioners of highways.

§ 55. That at any election for county commissioners that may be held in the several counties in this State under township organization, the qualified voters in any such counties may vote for or against the adoption of this act.

§ 56. The county board in any such county not under township organization, on petition of fifty or more legal voters of said county, at any election for county commissioners, shall cause to be submitted to the voters of the county of the question of this act by ballot, to be written or printed or partly written and partly printed, "For adoption of road law," or "Against adoption of road law," to be canvassed and returned in like manner as votes for county officers.

§ 57. The county clerk shall enter an abstract of the returns of said election, to be made out and certified as in elections for county officers, record the same at length upon the records of the county, and shall certify the same to the Auditor of Public Accounts.

§ 58. If it shall appear by the returns of said election that a majority of the legal voters of said county are for the adoption of this act, then the county so voting in favor of its adoption shall be governed by and be subject to the provisions of this act on and after the first Tuesday of April next succeeding: *Provided*, that a majority of the voters voting at such election shall be taken and deemed a majority of the voters of said county.

§ 59. This act shall not be construed to repeal or in any way affect the operation of the existing law in counties not under township organization unless this act be adopted in the manner herein set forth and provided.

§ 60. When this act has been adopted by any county, as hereinbefore provided, it shall be the duty of the board of county commissioners and the commissioners of highways in each road district to meet in the several districts, the county board with the commissioners of highways of each respective road district existing under the present law, and view and inspect such implements and property as each district may own, and, if possible, agree upon its worth, and in case they can not agree, then the chairman of the county board shall notify the county judge of their disagreement, and the county judge shall thereupon appoint a commission of three disinterested, competent men, who shall value the same, and the county board shall take such property at such valuation, and if there be any outstanding legal indebtedness of such district, the amount agreed upon as the value of the district property taken by the county as herein provided shall be paid by the county board on outstanding legal indebtedness, and if the debts of any district be not fully paid thereby, then each and every road district shall be continued in existence for the sole purpose of levying and collecting a tax sufficient to pay off all legal indebtedness.

APPROVED May 10, 1901.

ROADS ON COUNTY AND TOWNSHIP LINES.

§ 1. Amends section 57, act of 1883.

Approved May 10, 1901.

§ 57. Public roads on county or county and township lines, or from one township to another, or along right of way of railroad or stream on county line—how established, altered or vacated—petition—disposition of—by whom signed. Duties of commissioners—final orders recorded.

AN ACT to amend section 57 of an act entitled, "An act in regard to roads and bridges in counties under township organization," in force July 1, 1883.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 57 of "An act in regard to roads and bridges," in force July 1, 1883, be, and the same is hereby, amended to read as follows:

§ 57. Public roads may be established, altered, widened or vacated on county or township lines, or from one township to another, and in case a railroad right of way or stream of water joins the boundary line of such county line, then along the line of such railroad right of way or stream of water, in the same manner as other public roads, except that in such cases a copy of the petition shall be posted up in and presented to the commissioners of each town interested; said petition to be as in other cases, and signed by not less than twelve, or two thirds, of the the owners of land residing thereon, in either township or county within two miles of the road to be so altered, condemned, vacated, located or laid out. Whereupon, it shall be the duty of the commissioners of the several towns to meet and act as one body, in the same time and manner as in other cases, in considering the petition, viewing the premises, adjusting damages and making all orders in reference to such proposed road, alteration, widening or vacation, and a majority of all such commissioners must concur in all such orders, and a copy of all final orders and plats and papers shall be filed and recorded in each of the counties and towns interested.

APPROVED May 10, 1901.

SCHOOLS.

BOARDS OF EDUCATION UNDER SPECIAL ACTS.

§ 1. Amends section 1, act of 1897.

§ 1. Election of boards of education in lieu of school directors—term of office—powers.

§ 2. Emergency.

Approved May 10, 1901.

AN ACT to amend an act entitled, "*An act to provide for the election of boards of education, and the defining of the powers of such boards of education, in school districts organized under special acts of the Legislature of this State, where such school districts are maintained under the general school laws of this State, and where there is no provision in such special acts for the election of boards of education.*"

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 1 of an act entitled, "An act to provide for the election of boards of education in school districts organized under special acts of the Legislature of this State, where such school districts are maintained under the general school law of this State, and where there is no provision in such special acts for the election of boards of education," approved June 10, 1897, in force July 1, 1897, be, and the same is hereby, amended to read as follows:

§ 1. That hereafter, in all school districts in this State organized under any special law of this State, and maintaining public schools under any general school laws of this State, where there is no provision in said special acts creating such special school districts for the election of boards of education as otherwise provided, there shall be elected in each of said special school districts, in lieu of the school directors as now provided, a board of education, to consist of seven members, to be elected at the time and in the manner as now provided by the general law for the election and qualification of boards of education in other cases: *Provided*, that at the first election of such board, which shall be held on the third Saturday in April, A. D. 1898, two of such members shall be elected to serve one year, two to serve two years, and two to serve three years, and a president of such board shall be elected, whose term of office shall be one year; and annually thereafter there shall be elected in said school district two members of such board, whose term of office shall be three years, and there shall also be elected annually thereafter a president of said board. Said board of education, when so elected and qualified, shall have all the powers of trustees of schools in school townships as is now provided by general law. Said board of education, in addition to the powers of trustees aforesaid, shall also have all the powers of school directors as is now provided for by the general school law of this State; and in addition thereto and inclusive thereof, they shall have all the powers and perform all the duties of boards of education in school districts having a population of not less than one thousand and not over one hundred thousand inhabitants under the general school law as the same now exists and as set forth in article six of the school law, or as shall be conferred by any future alterations thereof by the Legislature.

§ 2. WHEREAS, An emergency exists, therefore this act shall take effect from [and] after its passage.

APPROVED May 10, 1901.

BONDS FOR PURCHASE OF SCHOOL BUILDINGS OR SITES.

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| § 1. Proposition for bonds submitted to vote
— Denomination of bonds — Term —
Rate per cent—Limit. | § 5. Election returns—Penalty for failure to
return poll-book. |
| § 2. Registration of bonds. | § 6. Proceedings in bonded districts. |
| § 3. Treasurer's record. | § 7. Emergency. |
| § 4. Elections—Notice of—How conducted. | Approved May 10, 1901. |

AN ACT to authorize certain school districts to issue bonds for certain purposes.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That for the purpose of building or repairing school houses, or purchasing or improving school sites, any school district in this State existing by virtue of any special charter, and governed by such special charter and special or general

laws, whose boundaries are coextensive with the boundaries of any incorporated city, town or village, where authorized by a majority of all the votes cast at an election called for that purpose, may borrow money, and as evidence of such indebtedness may issue bonds in denominations of not less than one hundred (100) dollars, nor more than one thousand (1,000) dollars, for a term not to exceed twenty (20) years, bearing interest at a rate not to exceed five (5) per centum per annum, payable annually, semi-annually or quarterly, and signed by the president and secretary of the board of education of such school district: *Provided*, that the amount borrowed in any one year shall not exceed, including existing indebtedness, five (5) per centum of the taxable property of such school district, to be ascertained by the last assessment for State and county taxes previous to incurring such indebtedness.

§ 2. All bonds authorized by virtue of this act, before being issued, negotiated and sold, shall be registered, numbered and countersigned by the treasurer of such school district. Such register [registration] shall be made in a book provided for this purpose, and in this register shall be entered the record of the election authorizing such school district to issue bonds, and a description of the bonds issued, including the number, date, amount, rate of interest and when payable.

§ 3. All moneys, borrowed by virtue of this act shall be paid into the treasury of such school district, and upon receiving such moneys the treasurer shall deliver the bond or bonds issued therefor to the person or persons entitled to receive the same, and shall credit the amount received to such school district. The treasurer shall record the exact amount received for each bond issued, and when any bond is paid the treasurer shall cancel the same, and enter in the register opposite the record of such bond the words, "Paid and canceled this day of, 19..," filling the blanks with the date, month and year corresponding with the date of such payment.

§ 4. Whenever it is desired to hold an election for the purpose of borrowing money, as provided by this act, the board of education of such school district in which such election is to be held shall give at least ten (10) days' notice of the holding of such election, by posting notices in at least three public places in such district. Such notices shall specify the place where such election is to be held, the time of opening and closing the polls, and the proposition to be voted on. At such election two members of the board of education shall act as judges and one member shall act as clerk. The judges and clerk shall take the oath required of judges and clerks of an election held for county or township officers. At such election all votes shall be by ballot.

§ 5. Within ten (10) days after such election the judges shall cause the poll-book to be returned to the treasurer of said school district, with a certificate thereon showing the result of such election. The poll-book shall be filed by the treasurer, and shall be evidence of such election. For a failure to return the poll-book to the treasurer within the time prescribed, the judges of said election shall be

liable, severally, to a penalty of not less than twenty-five (25) dollars nor more than one hundred (100) dollars, to be recovered in a suit in the name of the People of the State of Illinois, before any justice of the peace, and when collected shall be added to the school fund of said district.

§ 6. Where any such school district has heretofore issued bonds, or other evidences of indebtedness, on account of any public school building, or for any other purpose, which are now binding and subsisting obligations against such school district and remaining outstanding, such school district may, upon the surrender of any such bonds or any part thereof, or other evidence of indebtedness, issue in lieu thereof, to the holder or holders of said bonds, or to any person or persons, for money with which to take up the same, new bonds in accordance with the provisions of this act: *Provided*, such bonds shall not be issued so as to increase the aggregate indebtedness of such school district to exceed, including existing indebtedness, five (5) per centum of the taxable property of such school district, to be ascertained by the last assessment for the State and county taxes previous to incurring such indebtedness.

§ 7. WHEREAS, An emergency exists, this act shall be in full force and effect from and after its passage.

APPROVED May 10, 1901.

HIGH SCHOOLS.

§ 1. Amends act of 1889.

Approved May 11, 1901.

§ 41. High school district defined.

§ 42. Consolidation of districts, petition, election, board of education—certain high school districts legalized.

AN ACT to amend sections 41 and 42 of article 3 of an act entitled, "An act to establish and maintain a system of free schools," approved May 21, 1889, and in force May 21, 1889, and legalize high school organizations.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections 41 and 42 of an act entitled, "An act to establish and maintain a system of free schools," approved May 21, 1889, and in force May 21, 1889, be, and the same are hereby, amended [so as] to read as follows:

§ 41. For the purpose of building school houses, supporting the school and paying other necessary expenses, the territory for the benefit of which a high school is established under any of the provisions of this act shall be regarded as a school district, and the board of education thereof shall have the power and discharge the duties of directors of schools for such districts in all respects.

§ 42. Two or more adjoining townships, or two or more adjoining school districts, whether in the same or different townships,

may, upon like petition as required for township high schools, signed by at least fifty (50) legal voters in each of said townships or school districts, and where any such school district contains less than 150 voters, then such petition shall be signed by at least one-third of the legal voters of such district, and upon an affirmative vote in each of such townships or districts, at an election held pursuant to the provisions of section 38 of this act, establish and maintain, in the same manner as in this act it is provided for township high schools, a high school for the benefit of the inhabitants of the territory described in such petition. And the inhabitants of any territory composed of parts of adjoining townships who are now maintaining a high school and who have elected a board of education, may create such territory a high school district, by a petition of fifty (50) legal voters of such district and by an affirmative vote in such district, and may elect a board of education therefor as in other high school districts. All such high schools may be discontinued in the same manner as township high schools: *Provided*, that any school district having a population of at least two thousand (2,000) inhabitants, may in the same manner as herein provided for establishing and maintaining a township high school, establish and maintain a high school for the benefit of the inhabitants of such school district, and elect a board of education therefor with the same powers hereby conferred on township boards of education. All attempted high school districts in which the inhabitants are maintaining a high school and have in good faith elected a board of education substantially as herein required, are hereby declared to be valid and lawful high school districts and the board of education elected therefor legal boards of education.

APPROVED May 11, 1901.

NUMBERING SCHOOL DISTRICTS.

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| <p>§ 1. School districts to be numbered consecutively in counties.</p> <p>§ 2. County superintendents to prepare map.</p> <p>§ 3. Township trustees to furnish maps—Establishment of boundaries.</p> | <p>§ 4. County clerk to number districts for use in computing taxes—assessors' returns.</p> <p>§ 5. Repeal.</p> <p>Approved may 10, 1901.</p> |
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AN ACT to provide for numbering consecutively all school districts in each county in the State, and for numbering school districts which lie in two or more counties.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That all school districts shall be numbered consecutively in each county, beginning with number one, and each shall be designated as school district number . . . , county of . . . , and State of Illinois, and such designation shall be for all purposes for which school districts are now designated by number, township and range, or otherwise; and when any district

lies in two or more townships or ranges, or in two or more counties, such district, as a whole, shall have only one number in the consecutive list.

§ 2. It shall be the duty of the county superintendent of schools to prepare a map of his county on a scale of not less than two inches to the mile, and to clearly indicate thereon the boundary lines of all school districts, as established, and to plainly number such districts in consecutive order; and in case of districts composed of parts of two or more counties the county superintendents of such counties shall agree upon the number to be given such districts, which shall not be a duplicate of any number in either of such counties.

§ 3. The county superintendents shall furnish to township school treasurers a list of districts in his township, giving the former number of the respective districts and the consecutive number thereof, as made upon the map of the county, and the county superintendent shall be authorized to demand of the board of trustees of townships certified copies of maps and records of school districts as organized; and in case of discrepancies or defects in defining the boundaries of school districts, the county superintendent, or superintendents of two or more counties in case of districts in two or more counties, acting jointly, shall be authorized to define such boundaries to conform to what may appear to have been the intention of the trustees when such boundaries were established, and when so defined by the county superintendent or superintendents, acting jointly for two or more counties, such boundaries so defined shall stand until changed, as provided by law.

§ 4. The county clerk of each county shall number the school districts on the maps in his office to correspond with the numbers of districts as established by this act, and shall use such numbers in computing and reporting school taxes, as required by law. Assessors shall return their assessments of each person's assessment of personal property by such consecutive numbers.

§ 5. All acts and parts of acts in conflict herewith are hereby repealed.

APPROVED May 10, 1901.

SALE OF SCHOOL LANDS.

§ 1. Amends section 8 of article XIII, act of 1889. | Approved May 10, 1901.

§ 8. Sale of school lands—Petition—
Petition to be signed before
witnesses—Affidavit of wit-
nesses—Petition delivered to
county superintendent of
schools—Notice of election—
Form of notice—Returns.

AN ACT to amend section 8 of article XIII of an act entitled, "An act to establish and maintain a system of free schools," approved and in force May 21, 1889.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 8 of article XIII of an act entitled, "An act to establish and maintain a system of free public schools," approved and in force May 21, 1889, be amended to read as follows:

§ 8. When the inhabitants of any township or fractional township shall desire the sale of the common school lands of the township or fractional township, they shall present a petition to the county superintendent of the county in which the school lands of the township, or the greater part thereof, lie, for the sale thereof, which petition shall be signed by at least two-thirds of the legal voters of the township or fractional township. The signing of the petition must be done in the presence of two adult citizens of the township, after the true meaning and purpose thereof have been explained, and when signed an affidavit must be affixed thereto by the two citizens witnessing the signing, in the manner aforesaid, which affidavit shall state the number of inhabitants in the township or fractional township of and over twenty-one years of age, and said petition, so proved, shall be delivered to the county superintendent for his action thereon: *Provided*, that in townships having a population of more than ten thousand inhabitants such petition shall be signed by at least one-tenth of the legal voters of the township or fractional township, and not two-thirds thereof, and that such petition shall be delivered to the county superintendent at least fifteen days preceding the regular election of trustees, or the date of a special election which may be called for such purpose, and thereupon it shall be the duty of said county superintendent to notify the voters of such township that an election for or against the proposition to sell common school lands of the township or a portion thereof will be held at the next regular election of trustees, or at a special election called for that purpose, by posting notices of such election in at least ten of the most public places throughout such township for at least ten days before the date of such regular or special election, which notice may be in the following form, to-wit:

"Election for sale of common school lands. Notice is hereby given that on, the day of, A. D., an election will be held at for the purpose of voting 'for' or 'against' the proposition to sell common school lands of the township, to-wit: (Here insert description of said lands). The polls of said election will be open at and close at o'clock of said day.
A. B., County Superintendent."

The ballots of such election shall be received and canvassed as in other elections provided for in this act, and returns of the result thereof made to the county superintendent, and if it shall appear that two-thirds of the vote upon such proposition shall have been cast in favor of the sale of said lands, then the said county superintendent shall act thereon: *And, provided*, no whole section shall be sold in any township containing less than two hundred inhabitants; and

common school lands in fractional townships may be sold when the number of inhabitants and the number of acres are in the ratio of two hundred to six hundred and forty, but not before.

APPROVED May 10, 1901.

STATE TEACHERS' ASSOCIATION.

§ 1. Secretary of State to print proceedings.

§ 3. How paid.

§ 2. Superintendent of Public Instruction to approve copy.

Approved May 11, 1901.

AN ACT to authorize the Secretary of State to print the proceedings of the State Teachers' Association.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the Secretary of State is hereby authorized and empowered to have the proceedings of the Illinois State Teachers' Association printed and bound on the same terms as the proceedings of other State boards are printed.

§ 2. It shall be the duty of the State Superintendent of Public Instruction to approve the manuscript of said proceedings before it is placed in the hands of the Secretary of State to be printed.

§ 3. It is hereby made the duty of the Auditor of Public Accounts to draw his warrant on the State Treasurer, to be paid out of the appropriation for printing, upon a voucher properly certified to by the Board of Commissioners of State contracts.

APPROVED May 11, 1901.

TEACHERS' AND EMPLOYES' PENSION FUND.

§ 1. Amends section 1, act of 1895—Fund in certain cities—how created—release from making further payments, how made.

Approved May 11, 1901.

AN ACT amending section 1 of an act to entitled, "*An act to provide for the formation and disbursement of a public school teachers' and public school employes' pension and retirement fund, in cities having a population exceeding 100,000 inhabitants,*" approved May 31, 1895, in force July 1, 1895.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 1 of "*An act to provide for the formation and disbursement of a public school teachers' and public school employes' pension and retirement fund, in cities having a population exceeding 100,000 inhabitants,*" approved May 31, 1895, in force July 1, 1895, be amended so as to read

as follows: That the board of education in cities having a population exceeding 100,000 inhabitants shall have power, and it shall be the duty of said board, to create a public school teachers' and public school employes' pension and retirement fund, and for that purpose shall set apart the following money, to-wit:

1. An amount not exceeding one per cent per annum of the respective salaries paid to teachers and school employes elected by such board of education, which amount shall be deducted in equal installments from the said salaries at the regular time for the payment of such salaries.

2. All moneys received from donations, legacies, gifts, bequests or otherwise, on account of said fund.

3. All moneys which may be derived from any and all sources: *Provided, however,* that no tax shall ever be levied for said fund.

4. Any public school teacher or public school employe, a part of whose salary is now or may hereafter be set apart to provide for the fund herein created by this act, may be released from the necessities of making further payments to said fund by filing a written notice of his or her desire to withdraw from complying with the provisions of this act with said board of trustees, which said resignation shall operate and go into effect immediately upon its receipt by said board of trustees.

APPROVED May 11, 1901.

STATE BOARD OF HEALTH.

REPORTING BIRTHS AND DEATHS.

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| § 1. Reports of births—blanks. | § 9. Fee for reporting deaths—how paid. |
| § 2. Fee for reporting—how paid. | § 10. County clerks' record of births and deaths—filing certificates—quarterly report to State board of health. |
| § 3. Burial permits required. | § 11. Forms—by whom prepared. |
| § 4. Burial permits—by whom issued—form of. | § 12. Penalty of violations—State's attorney to prosecute. |
| § 5. Certificates for burial permits required. | § 13. Disposition of fines. |
| § 6. Physician or midwife to sign certificate. | § 14. Repeals. |
| § 7. Coroners to report deaths—body buried without permit to be disinterred and inquest held. | § 15. When act is in force. |
| § 8. Monthly reports to county clerks. | Approved May 11, 1901 |

AN ACT requiring reports of births and deaths, and the recording of of same; regulating the interment or other disposal of dead bodies, and prescribing a penalty for non-compliance with the provisions thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: It shall be the duty of every*

physician and midwife in the State of Illinois who attends the birth of a child to report said birth within thirty days after its occurrence to the county clerk of the county in which the birth takes place. Such reports shall be made on blank forms, to be prescribed and issued by the State board of health, and shall contain such information as may be directed by said board in resolutions, copies of which shall be printed on the reverse of the blank forms aforesaid. When no physician or midwife has been in attendance, then it shall be the duty of the parent, or in case of the disability of the parent, of the householder, to make said report within the time and within the manner aforesaid.

§ 2. Every physician, midwife, parent or householder who shall comply with the foregoing provisions shall receive for each report of birth made in the manner directed by the State board of health, the sum of twenty-five cents. At the close of each quarter of the calendar year the county clerk shall certify to the county treasurer a list giving the number of births reported to him, and the names and addresses of the persons reporting the same, and payment therefor shall be made by the said county treasurer to the persons named in said list: *Provided*, that no duplicate report shall be paid for.

§ 3. No person shall inter, cremate, deposit in a vault, or otherwise dispose of any human body, until he has received a permit so to do as hereinafter provided, which permit shall bear date when issued, shall state the name of the deceased, the date and cause of death, the manner in which the body will be disposed of and the place of such disposal, the name of the person to whom the permit is issued, and the name of the attending physician, midwife or coroner, and shall be signed by the official by whom it is issued.

§ 4. The following persons shall issue permits for interment, cremation or other disposal of bodies of such persons as die within their respective jurisdiction, viz: county clerks in counties not under township organization; town clerks in counties under township organization, and the clerks of incorporated cities and villages: *Provided*, that in any county not under township organization the board of county commissioners is hereby authorized to divide the county into districts, not exceeding six in number, and to appoint in each district an agent of said board of county commissioners, who shall be empowered to issue such permits: *Provided, further*, that the duties herein devolved upon city and village clerks may be performed, instead, by the clerk, secretary or registrar of a legally appointed city or village board of health: *And, provided further*, that neither county nor town clerks, nor the district agents aforesaid, shall issue permits in cases of deaths which occur within the jurisdiction of incorporated cities or villages.

§ 5. No such permit shall be issued until there shall have been delivered to the proper official, as designated above, a certificate of death in the manner directed, and on the blank form prescribed by the State board of health, by a legally qualified physician or midwife, or by the coroner of the county in which such death occurred.

§ 6. It shall be the duty of the physician or midwife last in attendance upon the deceased, if any there was, to sign the certificate hereinbefore required, stating the primary and secondary cause of death, according to the best information obtainable, and giving such correlative facts as may be required by the State board of health in resolutions, copies of which shall be printed on the reverse of said certificates. If there was no attending physician or midwife, or if the certificate of the attending physician or midwife can not be obtained within forty-eight hours after death has occurred, the required certificate may be made by any legally qualified physician employed for the purpose.

§ 7. Any death coming under the supervision or direction of the coronor shall be by him reported to the district agent, the clerk of the county, township, village or city, in which the death occurred, or to the local board of health of such city or village, as the case may be, in the manner directed and on the blank forms prescribed by the State Board of Health, and it shall be the duty of the coroner to disinter any body buried without the permit hereinbefore required, and to hold an inquest on said body, and within three days thereafter to report said death in the manner aforesaid to the proper official.

§ 8. It shall be the duty of all district agents, township, city or village clerks, and clerks, secretaries or registrars of city or village boards of health to forward at the end of each month to the county clerk of the county in which such district, township, city or village is located, all certificates of death presented to them during the preceding thirty days.

§ 9. Every clerk of a township, city or village, or of a city or village board of health, every district agent and every clerk, secretary or registrar of a city or village board of health shall receive for each certificate of death forwarded to the county clerk, upon which a permit has been issued in compliance with the provisions of the foregoing sections of this act, a fee of twenty-five cents: *Provided*, that the city clerk or the clerk, secretary or registrar of the board of health of any city of fifteen thousand or more inhabitants, shall receive no compensation other than his salary for any of the duties devolved upon him by any of the provisions of this act. At the close of each quarter of the calendar year the county clerk shall certify to the county treasurer a list giving the number of certificates of death forwarded to him, and the names and addresses of the officials so forwarding, and payment therefor shall be made by the county treasurer to the officials named in said list.

§ 10. The county clerk of each county shall record in the manner directed by the State board of health all certificates of births and deaths delivered to him pursuant to law, and shall file such certificates in his office. The record of such certificates shall at all times be open to the inspection of the public without fee. Each county clerk shall, also, during the first ten days of January, April, July and October of each year, render to the State board of health, in the manner directed by said board, a full and complete report of all births and deaths reported to him during the preceding quarter.

§ 11. The State board of health shall prepare such forms for certificates of births and deaths as it may deem proper, and shall deliver said forms to the county clerks of the several counties, whose duty it shall be to furnish such forms to physicians, midwives and coronors: *Provided*, that in cities and villages the local board of health or the city or village clerk, as the case may be, may prepare forms for certificates of death in form similar to those issued by the State board of health, and furnish the same to physicians and midwives.

§ 12. Any person or persons who shall violate any of the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not less than ten nor more than one hundred dollars, or shall be imprisoned in the county jail not to exceed thirty days, or shall suffer both such fine and imprisonment in the discretion of the court.

§ 13. All fines collected under the provisions of this act shall be paid into the county treasury of the county in which the suit is brought, to be used for county purposes, and it shall be the duty of the State's attorney in the respective counties to prosecute all persons violating or refusing to obey the provisions of this act.

§ 14. All that part of sections 4, 5 and 6 of an act entitled, "An act to create and establish a State board of health in the State of Illinois," approved May 28, 1877, relating to reports of births and deaths, and all acts or parts of acts in conflict with the provisions of this act are hereby repealed.

§ 15. This act shall be in force on and after the first day of January, 1902.

APPROVED May 11, 1901.

SUPERVISION OF LODGING HOUSES.

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| <p>§ 1. Amends sections 15, 16, 17 and 18, acts of 1877 and 1899.</p> <p>§ 15. Lodging houses—State board to have supervision of—inspection—penalty for obstructing inspection.</p> <p>§ 16. Sleeping rooms—size—passageway between beds—arrangement of beds—penalty for violations.</p> | <p>§ 17. Lodging house record—contents of—open for inspection—penalty.</p> <p>§ 18. Landlord to file annual statement with county clerk—contents—blanks furnished by State board of health—penalty.</p> |
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Approved May 10, 1901.

AN ACT to amend sections fifteen (15), sixteen (16), seventeen (17), and eighteen (18), of an act entitled, "An act to create and establish a board of health in the State of Illinois," approved May 28, 1877, in force July 1, 1877, as amended by act approved April 21, 1899, in force July 1, 1899.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections fifteen (15), sixteen (16), seventeen (17) and eighteen (18) of an act entitled, 'An act to create and establish a board of health in the State of

Illinois, " approved May 28, 1877, in force July 1, 1877, as amended by act approved April 21, 1899, in force July 1, 1899, be, and the same are hereby, amended so as to read as follows:

§ 15. The State board of health shall have supervision of all lodging houses, boarding houses, taverns, inns and hotels, in cities of one hundred thousand inhabitants or more, as hereinafter provided. They shall from time to time inspect, or cause to be inspected, all such lodging houses, boarding houses, taverns, inns and hotels, to see that the provisions of this act are duly and properly observed by the landlords, proprietors, keepers, managers and clerks of such lodging houses, boarding houses, taverns, inns and hotels; and any landlord, proprietor, keeper, manager, clerk, employé or other person connected with any such lodging house, boarding house, tavern, inn or hotel, who shall interfere with or obstruct any such inspection, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not exceeding \$100.

§ 16. It shall be unlawful for any landlord, proprietor, keeper, manager or clerk of any lodging house, boarding house, tavern, inn or hotel, to permit any room in such lodging house, boarding house, tavern, inn or hotel, to be used or occupied for sleeping purposes which does not contain four hundred (400) cubic feet or more of air space for each person sleeping therein at the same time; and in every room in any lodging house, boarding house, tavern inn or hotel, containing more than one bed, the beds shall be so arranged as to leave a passageway of not less than two feet horizontally on all sides of each bed; and all beds shall be so arranged that under each of them the air shall freely circulate, and there be adequate ventilation.

Any landlord, proprietor, keeper, manager, clerk, employé or other person connected with any lodging house, boarding house, tavern, inn or hotel, violating any of the provisions of this section, shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine not exceeding \$100 nor less than \$25.

§ 17. The landlord, proprietor, keeper, manager or clerk, of every such lodging house, boarding house, tavern, inn or hotel, shall keep in the office or other public place therein, a register, in which shall be entered the name and residence of every person who becomes a lodger, boarder or guest in said lodging house, boarding house, tavern, inn or hotel, and such registers shall also show the number of the room or bed occupied by such person, and shall show the date of his arrival, and the period for which he engaged board or lodging. Such register shall always be accessible, without charge to any officer or duly authorized agent of said State board of health. Any landlord, proprietor, keeper, manager or clerk of such lodging house, boarding house, tavern, inn or hotel, violating any of the provisions of this section, shall be deemed guilty of a misdemeanor, and shall be liable to a penalty of not less than \$25, and not to exceed \$100.

§ 18. Within thirty days from the date upon which this act shall take effect, and upon the first day of March of each succeeding year, the landlord, proprietor, keeper or manager of every such lodging house, boarding house, tavern, inn or hotel, shall file with the county clerk of the county in which such lodging house, boarding house, tavern, inn or hotel is located, a written statement, sworn to by him; which statement shall contain the name of the person making the statement; whether such person is the landlord, proprietor, keeper or manager of such lodging house, boarding house, tavern, inn or hotel; the location of such lodging house, boarding house, tavern, inn or hotel, according to the city, street and number; the period of time during which such person has been the landlord, proprietor, keeper or manager, of such lodging house, boarding house, tavern, inn or hotel; the period of time during which such lodging house, boarding house, tavern, inn or hotel has been continuously operated as such; the number of guests or persons then stopping in said lodging house, boarding house, tavern, inn or hotel; the greatest number of persons who stopped in said lodging house, boarding house, tavern, inn or hotel, upon any day within the thirty days immediately preceding the date of such sworn statement; the smallest number of persons upon any day within said period of thirty days; the total number of rooms contained in such lodging house, boarding house, tavern, inn or hotel; the number of sleeping rooms contained in such lodging house, boarding house, tavern, inn or hotel; the length and breadth of the building in which such lodging house, boarding house, tavern, inn or hotel is located; the number of stories comprised in such building; the number of stories, and parts of stories, in such building occupied by such lodging house, boarding house, tavern, inn or hotel; the complete dimensions, in feet, respectively, of the smallest and largest sleeping room contained in such lodging house, boarding house, tavern, inn or hotel, and the number of beds contained in said largest sleeping room. Such statement shall be made upon blanks furnished to the county clerk by the State board of health for that purpose.

Any landlord, proprietor, keeper or manager, of any lodging house, boarding house, tavern, inn or hotel who fails or refuses to make and file, within and at the time herein mentioned, the statement required by this section to be made, shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than \$25 nor more than \$100.

APPROVED May 10, 1901.

SURVEYORS AND SURVEYS.

PERMANENT SURVEY OF LANDS.

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| <p>§ 1. Establishment of permanent lines and corners—written agreement binding on all parties—plat filed in recorder's office—lines and corners never to be changed.</p> <p>§ 2. Recourse in case owners refuse to sign agreement—posting notices.</p> <p>§ 3. Circuit court to appoint three surveyors to make survey—duty, powers and report of surveyors.</p> | <p>§ 4. Objections to report—court to determine—re-refer to surveyors for correction—appointment of new commission—finding of court to be unalterable—appeal. Expenses of survey—how paid.</p> <p>§ 5. Records of surveyor when county fails to elect or surveyor fails to qualify deposited with county recorder—surveys recorded in record book—certified copies made by recorder.</p> |
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Approved May 10, 1901.

AN ACT to provide for the permanent survey of lands.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That whenever the owner or owners of adjacent tracts of lands shall desire to establish permanently the lines and corners thereof between them, he, she or they may enter [into] a written agreement to employ and abide by the survey of some surveyor, and after said survey is completed, a plat thereof with a description of all corners and lines plainly marked thereon, together with the written agreement of the parties, shall be recorded in the recorder's office of the county where the lands are situated; and the lines and corners of said survey so made and recorded, shall be binding upon the parties entering into said agreement, their heirs, successors and assigns, and shall never be changed.

§ 2. Whenever one or more proprietors of lands in this State, the corners and boundaries of whose lands are lost, destroyed, or are in dispute, or who are desirous of having said corners and boundaries permanently re-established, and who will not enter into an agreement as provided by section first of this act, it shall be lawful for said proprietor or proprietors that they shall cause a notice, in writing, to be served on the owner or owners of adjacent tract or tracts, if known, and residing in the county where said lands are situated; or if not known and residing in such county, by publishing in a public newspaper published in such county, and if no newspaper shall be published, then by posting up in four different public places in said county a written or printed notice to the effect that, on a day named therein, he, she or they will make application to the circuit court of the county in which said lands are situated, at its next succeeding term, for the appointment of a commission of surveyors to make survey of and to permanently establish said corners and boundaries, which notice shall be posted up at least four weeks before the time appointed for said application, and one of said notices shall be in the precinct or township in which said corners and boundaries are situated.

§ 3. Upon the filing of proper petition and proof of due notice as aforesaid, the said court shall appoint a commission of three surveyors, entirely disinterested, to make said survey, who shall proceed to make said survey and report their proceedings to that or the next term of said court, accompanied by a plat and notes of said survey; said commission of surveyors shall be authorized to administer an oath, and take the evidence of, and incorporate the same with their survey, of any person who may be able to identify any original government, or other legally established corner or witness thereto, or government line, tree, or other noted object, and all stone corners or other monuments that have been in existence over twenty years and recognized as original government corners by the adjoining proprietors

§ 4. Upon the filing of said report, any person whose interest may be affected by said survey shall be at liberty to enter his objections to said report, and the court shall hear and determine said objection, and enter an order or judgment either approving or rejecting said report, or modifying and amending the same according to the rights and interests of the parties, or may refer the same back to said commission to correct their report and survey in conformity with the judgment of the court; or the court may, for good reason, set aside said commission and appoint a new commission, who shall proceed *de novo*, and survey and determine the boundaries and corners of the lands in question. The corners and boundaries established in said survey as approved in the final judgment of the court, if not appealed from within thirty days, shall be held and considered as permanently and unalterably established according to said survey. The expenses and costs of the surveys and suit shall be apportioned among all the parties according to their respective interests.

§ 5. Whenever any county in this State shall fail to elect a surveyor, or the surveyor when elected shall refuse or neglect to qualify, then the person having charge of the records and other property belonging to the office of the county surveyor shall deposit said records and property with the recorder of the county and said records and papers shall be open to the inspection of all surveyors and others, and any surveyor making surveys in such county shall record his survey, under his own certificate, in said record books, and said record of surveys shall be as legal as though made by the county surveyor; and a certified copy thereof, made by the recorder of the county, shall be received in evidence and have the like force and effect as other like certificates given by said recorder in any court of record.

APPROVED May 10, 1901.

TOWNSHIP ORGANIZATION.

COMMISSIONERS OF HIGHWAYS.

§1. Amends section 16 of article 1, act of 1874, as amended by act of 1895. Approved May 10, 1901.

§ 16. Provides for subdivision of townships into three road commissioners' districts—how divided—redivision of—legalizes present districts—redivision more than once a year prohibited—publication and posting of notices.

AN ACT to amend section sixteen of article one of an act entitled, "An act to revise the law in relation to township organization," as amended by an act approved June 21, 1895.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section sixteen, article one, of "An act to revise the law in relation to township organization," approved and in force March 17, 1874, as amended by an act entitled, "An act to amend section sixteen, article one, of an act entitled 'An act to revise the law in relation to township organization,' " approved June 21, 1895, be, and the same is hereby, amended so as to read as follows:

§ 16. Of the commissioners of highways elected at the first election, one shall hold his office for one year and one for two years, and the other for three years, to be determined between them by lot before entering upon the duties of their office, and until their respective successors are elected and qualified, and it shall be the duty of the commissioners of highways, together with the town clerk and supervisor, to meet within ten days after the next town meeting after the passage of this act, in each town, and divide each township into three districts to be known as road commissioners' districts numbers one, two and three, dividing the township as near into three equal divisions as possible, taking into consideration extent of territory and population in making and forming boundaries of such districts, and a plat of each district to be filed in the office of the town clerk of said town. The purpose of such division is to have the different portions of each township represented by a commissioner of highways who is a resident of such district, and when a vacancy occurs such vacancy shall be filled either by election or appointment, as the case may be, by a resident of said district where such vacancy occurs: *Provided, however,* that nothing in this section contained shall be construed as prohibiting the commissioners of highways, together with the town clerk and supervisor, at any time thereafter, and from time to time redividing the township into road commissioners' districts whenever, in their opinion, the public interest shall require, and any such division or redivision made since the passage of the act providing for the division of the township into road commissioners' districts is hereby validated and legal-

ized: *Provided, however,* that such redistricting shall not be made oftener than once in the same year, and that ten days' notice shall be given in some newspaper published in the township, or if no paper is published therein, then by giving ten days' notice by posting three notices in said township.

APPROVED May 10, 1901.

CONSOLIDATION OF TOWNSHIPS.

§ 1. Amends section 12, article 3, act of 1874.

Approved May 9, 1901.

§ 12. County board may unite contiguous towns — disconnection — annexation — petition — area limit — population limit — election notice — form of ballot — canvass — returns — name — boundaries — union, when complete — adjustment of property and debts of districts and towns. liquor laws, how affected — park districts — election — when to hold — form of ballot — canvass and return of votes — proviso — land outside corporate limits — powers of board — no such town to contain less than 16 square miles.

AN ACT to amend section 12 of article III of an act entitled, "An act to revise the law in relation to township organization," approved and in force March 4, 1874, as amended June 15, 1887, in force July 1, 1887.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 12 of article III of an act entitled, "An act to revise the law in relation to township organization," approved and in force March 4, 1874, and amended June 15, 1887, in force July 1, 1887, be, and the same is hereby, amended so as to read as follows:

§ 12. The county board of each county shall have full power and jurisdiction to unite into one town two or more contiguous towns, whether incorporated under any special or general act, or organized under this act, and to disconnect territory from one of such towns and annex the same to another. But no such towns shall be united, nor shall territory be taken from one such town and at the same time annexed to another, excepting in the following manner, that is to say: After the petition hereby required shall have been presented to the county board for the union of such towns or for disconnecting territory from one of such towns and annexing the same to another, said county board shall cause to be submitted to the voters of said towns at a general annual election to be holden in each of said towns

the question of uniting, or of disconnection and annexation: *Provided*, that no territory shall be taken from one such town and at the same time united to another unless such territory be at least one-half ($\frac{1}{2}$) square mile in extent, and contain at least one thousand (1,000) inhabitants. Where it is proposed to unite two or more contiguous towns under this section, said petition shall be signed by at least one-fourth of the voters of each of the towns sought to be united: *Provided*, that if in any town the number of voters exceeds four hundred (400) at the last general election, then by one hundred of the voters in such town. Where it is sought to disconnect part of the territory from one town and annex the same to a contiguous town, such petition shall be signed by at least one-fourth of the voters of the territory sought to be disconnected from one town and annexed to the contiguous town, or if such territory contains more than four hundred (400) voters at the last general election, then by one hundred (100) of such voters. Notice of the election hereby required shall be given by causing notices thereof to be posted up in five public places in each of said towns at least twenty (20) days before such election, and by publishing the same in at least one newspaper (if any there be published,) in each of said towns or a newspaper published in said county. The ballots cast at such election to be written or printed, or partly written and partly printed, "for uniting," or "against uniting," or "for annexation," or "against annexation," respectively, to be canvassed in like manner as votes for county officers and returned to the county board, who shall cause the votes to be canvassed. If a majority of voters of each town voting upon the question of union at such election shall vote for uniting such towns, such county board, at the meeting of which such vote is canvassed, or at the next succeeding meeting, shall proceed to declare such towns united, and give the united towns a name and define the boundaries thereof: *Provided*, that the officers of each such towns shall continue to hold their respective offices and discharge the duties thereof during the remainder of the term for which they were respectively elected: *And, provided*, that the commissioners of highways, if there be such, in each of said towns in office at the time of such union shall continue in and discharge the duties of their respective offices during the remainder of the terms for which they were elected, and in the discharge of their duties shall act in conjunction: *And, provided further*, that the union of such towns shall not be complete until the expiration of the terms of all officers in said towns who are elected to serve for the period of one year. If a majority of the voters in each town voting upon the question of disconnection of territory from one such town and annexation to the other at such election shall vote for the annexation, such county board at the meeting at which such votes are canvassed, or at the next succeeding meeting, shall proceed to declare such territory disconnected from the town of which it formerly formed a part, and united to the contiguous town to which it sought to be annexed: *Provided*, that the officers of the town to which such territory is annexed shall thereupon constitute the town officers of

such territory. Where the alteration or division or union of towns necessitates a change in any school district, it shall be the duty of the officers having charge of the school property therein to proceed to make an adjustment of the property and debts thereof, as in the case of the alteration of school districts. After the declaration by the county board of the union or annexation herein provided for, it shall be the duty of the officers specified in this article to meet for the purpose of adjusting the assets and debts of said towns. If the town or part thereof which may be joined to an incorporated city under this section is also an incorporated town or village or part of the same, and such incorporated town or village has property or debts, then the property and debts and rights of such incorporation, town or village shall be adjusted by the same officers and in the same manner as provided in this article: *And, provided further*, that all ordinances for the regulation or restraint of the sale of intoxicating liquors which shall be in force in the whole or any part of said annexed territory at the time of said annexation shall continue in force therein and shall not be repealed except upon the petition of one hundred (100) householders within said prohibited portion, and a vote for such repeal of a majority of all the aldermen of the common council of the city to which such territory shall be annexed, including the vote therefor of the aldermen in whose ward said prohibited district shall then wholly or in part lie: *And, provided further*, that when the county board of commissioners wish to consolidate a town in which the corporate authorities are authorized to assess, levy and receive taxes for park purposes, such county board shall first submit to the legal voters of the town at an election to be held on the Tuesday after the first Monday in November the question whether such town shall be established and continued as a park district for park purposes. And when such park shall be located in such town and also in another town adjoining thereto, the question shall be submitted to the voters of each of such towns in which a park shall be located whether such town shall be established and continued as a park district, at an election to be held on Tuesday after the first Monday of November. The tickets shall be written or printed "For park district" or "Against park district." And if a majority of the votes cast at the election on that subject in each town shall be for a park district, then the park district shall be deemed as established, and the park commissioners appointed and authorized by law shall thereupon be the corporate authorities of such park district and shall have and exercise all the power and authority and perform all the duties enjoined by law on the corporate authorities of such town or towns for the establishment and maintenance of the park and for the discharge of all debts, bonds, obligations and contracts of such town for park purposes. The mode of conducting such election, the returns thereof and the notices therefor, the canvassing and contesting the same, shall be as nearly as may be as in the case of county officers. If such park district is established as aforesaid, then the county may proceed to consolidate said town with another town or towns or change the boundaries thereof, but if such park district is not established as

aforsaid, then there shall be no authority in the county board to consolidate such town or towns with another town or towns: *Provided*, that where lands lie wholly outside of and not adjoining the limits of an incorporated city or village, whenever a majority of the land owners residing within such territory shall petition the county board to take such territory from one town and unite it with another town, the county board shall have full power to disconnect such territory from one town and annex it to another town, as prayed for in such petition, without regard to the extent of territory or number of inhabitants, but no town shall be reduced in extent of territory to less than sixteen square miles.

APPROVED May 9, 1901.

ELECTION OF SUPERVISORS.

§ 1. Election of supervisors and assistant supervisors in towns of certain population—population ascertained by last federal or State census.

Approved May 10, 1901.

AN ACT to amend section 1 of Article 7 of "*An act to revise the law in relation to township organizations*," approved and in force March 4, 1874, as amended by act approved June 15, 1887, in force July 1, 1887.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 1 of Article 7 of "*An act to revise the law in relation to township organizations*," approved and in force March 4, 1874, as amended by act approved June 15, 1887, in force July 1, 1887, be amended so as to read as follows: At the annual town meeting in each town there shall be elected by ballot one supervisor (who shall be *ex officio* overseer of the poor), one town clerk, one assessor and one collector, who shall severally hold their office for one year and until their successors are elected and qualified, and such justices of the peace, constables and highway commissioners as are provided by law: *Provided*, that in any town or city not included within the limits of any town (except in Cook county) having four thousand inhabitants, there shall be elected one additional supervisor, to be styled assistant supervisor; in towns having six thousand five hundred inhabitants, there shall be elected two assistant supervisors; and so for every additional twenty-five hundred inhabitants there shall be elected one additional supervisor—the population of towns to be ascertained by the last federal or State census preceding the election.

APPROVED May 10, 1901.

TOWNSHIPS WHOLLY WITHIN CITIES.

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| <p>§ 1. City council shall exercise powers now vested in townships.</p> <p>§ 2. Duties of city clerk and county treasurer—Bonds.</p> <p>§ 3. Office of highway commissioner abolished.</p> <p>§ 4. Addition of new townships.</p> | <p>§ 5. Offices of <i>ex-officio</i> officers.</p> <p>§ 6. Adoption of act—petition, election.</p> <p>§ 7. Election, notice of—ballot—proclamation.</p> <p>§ 8. Emergency.</p> <p>Approved May 11, 1901.</p> |
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AN ACT concerning townships lying wholly within cities of more than 50,000 population.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That in all townships lying wholly within any city of more than 50,000 population all the powers vested in such townships shall be exercised by the city council of such city, including all the powers vested in the town meetings and the board of auditors of such townships.

§ 2. The city clerk of such city shall be *ex-officio* town clerk and township assessor of each of such townships, and the treasurer of the county in which such city lies shall be *ex-officio* collector and supervisor of each of such townships; but such officers shall not be required to give any additional bond on account of holding such township offices, but they shall be liable on their official bonds for their acts as township officers in the same manner and to the same extent as if such bonds had been given as such township officers.

§ 3. The offices of highway commissioners are hereby abolished in such townships.

§ 4. Whenever, subsequently to the taking effect of this act, by the annexation of new territory or otherwise, any new or additional township comes to lie wholly within the boundaries of any city to which this act applies, all the provisions of this act shall at once apply to such township.

§ 5. City clerks and county treasurers who become *ex officio* township officers under the provisions of this act shall not maintain any other or different public offices as such township officers than those provided and maintained for them as such city clerk and county treasurer.

§ 6. Adoption]. The electors of such townships may adopt and become entitled to the benefit of this act in the following manner: Whenever one thousand (1,000) of the legal voters of such townships, voting at the last preceding election, shall petition the judge of the county court of the county in which such townships are located, to submit to a vote of the electors of such townships the proposition as to whether such townships and the electors thereof shall adopt and become entitled to the benefits of this act, it shall be the duty of such county court to submit such proposition accordingly at the next succeeding general State, county, city or township election, and if such proposition is not adopted at such election, the same shall in like manner be submitted to a vote of the electors of

such townships by such county court upon like application at any general, State, county, city or township election thereafter, and an order shall be entered of record in such county court submitting such proposition as aforesaid.

§ 7. Notice of Election—Submission of Act to Vote—Proclamation.] The judge of such county court shall give at least ten (10) days' notice of election at which such proposition is to be submitted by publishing such notice in one or more newspapers published within such city for at least five (5) times, the first publication to be at least ten (10) days before the day of election. Such election shall be held under the election law in force in such city, except as herein otherwise provided. The proposition so to be voted for shall appear in plain, prominent type at the head of every ticket and preceding the names of persons to be voted upon for any office at such election. If a majority of the votes cast upon such proposition shall be for such proposition, this act shall thereby be adopted by such townships, and the mayor of such city shall thereupon issue a proclamation declaring this act in force in such townships.

§ 8. Emergency.] WHEREAS, An emergency exists for the immediate taking effect of this act, therefore it shall be in force from and after its passage.

APPROVED May 11, 1901.

TRADE AND COMMERCE.

BRANDING AND SALE OF BUTTER.

§ 1. Provides for branding all process butter.

§ 2. "Renovated butter"—Brand described—Butter not in packages—English language.

§ 3. State food commissioner—His duties—Security for costs.

§ 4. Penalty.

§ 5. Commissioner or assistants may enter buildings and open packages.

Approved April 24, 1901.

AN ACT to prevent fraud in the branding and sale of process and renovated butter.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That no person, firm, corporation, agent or employé shall manufacture, sell, offer or expose for sale, in this State any butter that is produced by taking original packing stock butter, or other butter, or both, and melting the same so that the butter fat can be drawn off or extracted, then mixing the said butter fat with skimmed milk, or milk, or cream, or other milk product, and rechurning or reworking the said mixture, or that produced by any process that is commonly known as boiled, process or renovated butter, unless the same is branded or marked as provided in section 2 of this act.

§ 2. No person, firm, corporation, agent or employé shall sell, offer or expose for sale, or deliver to purchaser, any boiled, process or renovated butter, as defined in section 1 of this act, unless the words "Renovated Butter" shall be plainly branded with gothic or bold-faced letters at least three-fourths of an inch in length on the top and sides of each tub, or box, or pail, or other kind of a case, or package, or on the wrapper of prints or rolls in which it is put up. If such butter is exposed for sale uncovered or not in a case or package, a placard containing the label so printed shall be attached to the mass of butter in such manner as to easily be seen and read by the purchaser. The branding or marking of all packages shall be in the English language, and in a conspicuous place, so as to be easily seen and read by the purchaser.

§ 3. The State food commissioner and his assistants, experts and chemists, by him appointed, shall be charged with the proper enforcement of all the provisions of this act. When complaint is made by the said State food commissioner, his assistants, employés or chemists, or by any other person authorized by the said State food commissioner, security for costs shall not be required.

§ 4. Whoever violates any provision of this act shall be deemed guilty of a misdemeanor, and shall for each offense, upon conviction thereof, be subject to a fine of not less than twenty-five dollars nor more than fifty dollars, or of imprisonment in the county jail for any period not to exceed six months.

§ 5. The said commissioner and his assistants, experts, chemists or agents shall have access and ingress to all places of business, factories, stores and buildings used for the manufacture or sale of butter. They also shall have power and authority to open any tub, box, pail or other kind of case or package containing any butter that may be manufactured, sold or exposed for sale.

APPROVED April 24, 1901.

TRADE MARKS.

PROTECTION OF TRADE MARKS AND LABELS.

§ 1. Statements—filing and publication—recording—used as evidence—fee.

§ 2. Unlawful to use or destroy.

§ 3. Using, by whom and when unlawful.

§ 4. Penalties.

§ 5. Action for recovery of property.

§ 6. Suit to enjoin, when.

Approved May 11, 1901.

AN ACT to prevent and punish the unlawful buying, selling, keeping for sale, using, filling or trafficking, in cans, tubs, firkins, boxes, bottles, casks, barrels, kegs, cartons, tanks, fountains, vessels or containers; to provide for the registration of the names, brands, designs, trade marks, devices, and other marks of ownership in connection with such articles, and to protect the owners thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That any and all persons or corporations who may be the owners of cans, tubs, firkins, boxes, bottles, casks, barrels, kegs, cartons, tanks, fountains, vessels or containers with his, her, its or their names, brands, designs, trade marks, devices, or other marks of ownership stamped, impressed, labeled, blown in or otherwise marked thereon, may file with the Secretary of State and also with the clerk of the county in which any such person or persons or corporation may have his, her, its or their principal place of business, a written statement or description verified by affidavit of such owner or his, her, or its agent, of the names, brands, designs, trade marks, devices or other marks of ownership so used by him, her, it or them, and of the said article or articles upon which the same are used, or if such principal place of business shall be without this State, then such written statement or description so verified may be filed with the clerk of any county of this State. Said statement shall be published once a week for three (3) successive weeks in a newspaper printed in the English language and of general circulation in said county, a copy of which publication, proved in the same manner as proof of publication is now required to be made by law, when no special mode of proving the same is provided, shall also be filed with the Secretary of State and with such clerk of the county. All such written statements or descriptions and all such certificates of publication so filed with the county clerk shall be recorded at large by him in a book to be kept by him, and such book shall be subject at all reasonable hours to the inspection of all persons who may choose to inspect the same. The Secretary of State and the county clerk shall deliver to any person who may apply therefor copies of all such written statements or descriptions of names, brands, designs, trade marks, devices, or other marks of ownership, and of all certificates of publication so filed with them, duly certified to by them in the usual manner, and such certified copies shall be admissible in evidence in all prosecutions under this act, and shall be *prima facie* evidence that the provisions of this section have been complied with, and of the title of the owner or owners named therein, to the property upon which the name, brand, design, trade mark, device or other marks of ownership of such owner or owners may appear as described therein. The Secretary of State and the county clerk shall each receive a fee of one dollar (\$1) for each statement and certificate of publication filed, and also a fee of one dollar (\$1) for each certified copy of such statement and certificate of publication.

§ 2. It is hereby declared to be unlawful for any person or persons or corporation, without the written consent of the owner or owners thereof, to hereafter keep for sale any can, tub, firkin, box, bottle, cask, barrel, keg, carton, tank, fountain, vessel or container so marked or distinguished as aforesaid, of which a description shall have been filed and published as provided in section 1 of this act, or to use or fill with any substance, commodity or product for the sale therein of such substance, commodity or product, any such can, tub,

firkin, box, bottle, cask, barrel, keg, carton, tank, fountain, vessel, or container, or to wantonly break or destroy, or to buy, sell or dispose of or traffic in any such can, tub, firkin, bottle, box, cask, barrel, keg, carton, tank, fountain, vessel, or container, or to deface, erase, obliterate, cover up or otherwise remove or conceal any such name, brand, design, trade mark, device or other mark thereon, for the purpose of destroying or removing the evidence of the ownership of such article.

§ 3. The using by any person or persons or corporation other than the owner or owners thereof, or his, her, its or their agent, of any such, can, tub, firkin, box, bottle, cask, barrel, keg, carton, tank, fountain, vessel, or container, for the sale therein of any substance, commodity or product other than that originally therein contained, or the buying, selling, or trafficking in any such can, tub, firkin, box, bottle, cask, barrel, keg, carton, tank, fountain, vessel, or container, or the fact that any junk dealer or dealer in cans, tubs, firkins, boxes, bottles, casks, barrels, kegs, cartons, tanks, fountains, vessels, or containers, shall have in his or her possession any such can, tub, firkin, box, bottle, cask, barrel, keg, carton, tank, fountain, vessel, or container, so marked or stamped, and a description of which shall have been filed and published as provided in section 1 of this act, shall be, and it hereby is declared to be, *prima facie* evidence that such using, buying, selling, or trafficking in or possession of is unlawful within the meaning of this act.

§ 4. Any person or persons, or corporation, or any officer or agent of any corporation acting for or in the name of such corporation, who shall violate any of the provisions of this act, shall be fined not less than five dollars (\$5) nor more than fifty dollars (\$50) for the first offense, and not less than fifty dollars (\$50) nor more than two hundred dollars (\$200) for each subsequent offense, together with costs in each case. The procedure for the enforcement of the fines herein provided for shall be by summons against the person or persons or corporations so offending to answer unto the People of the State of Illinois for such offense, and to be issued by any judge or justice of the peace, or court of competent jurisdiction of the proper county, at the instance of any person. Upon conviction of any of the offenses mentioned in this act, the judge, justice of the peace or court shall, as a part of the judgment, order that the defendant, if an individual, be committed to the common jail of the county in which such conviction is had until the fine and costs are paid or he shall be discharged according to law, and upon failure to pay the same immediately, the defendant, if an individual, shall be committed under said order. Execution may also issue upon said judgment as is provided in the act entitled, "An act to revise the law in relation to justices of the peace and constables," approved June 26, 1895, in force July 1, 1895. All fines collected under the provisions of this act shall be paid into the common school fund of the county in which such conviction is had.

§ 5. When complaint is made in writing, verified by affidavit, to any judge or justice of the peace that any person or persons or corporation has violated any of the provisions of this act, and, in viola-

tion of any of the said provisions, has any such can, tub, firkin, box bottle, cask, barrel, keg, carton, tank, fountain, vessel or container concealed in any house or place, and particularly describing such house or place, the said judge or justice of the peace, if satisfied from the statement of facts in such complaint, that there is reasonable cause to believe that such offense has been committed by the accused party or parties, and that the accused party or parties has or have the property described in said complaint concealed in such house or place in violation of any of the provisions of this act, shall thereupon issue a warrant to search such house or place for such property, to discover and obtain the same, and to bring before said judge or justice of the peace, all such property that may be found by virtue of said warrant, and summoning the person or persons named in said warrant to answer unto the People of the State of Illinois for such offense. All such warrants shall be executed in the same manner as search warrants are now executed under an act entitled, "An act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874, and the proceedings thereunder shall be the same. Upon the trial said judge or justice of the peace shall proceed to hear and determine the offense as charged in said complaint, and if he finds that such person or persons or corporation is or are guilty of said offense, said judge or justice of the peace shall impose the punishment prescribed for such offense under section 4 of this act and enter judgment accordingly, and all proceedings upon said judgment shall be in accordance with the provisions of said section. All the property and things so seized shall be safely kept by direction of said judge or justice of the peace so long as necessary for the purpose of being produced or used as evidence on any trial. As soon as may be afterwards, all such property shall be restored to the owner thereof.

§ 6. Every such person or corporation, having complied with the provisions of this act as aforesaid, may proceed by any suit to enjoin any other person or corporation from filling with any substance, commodity or product for the sale therein of such substance, commodity or product, any can, tub, firkin, box, bottle, cask, barrel, keg, carton, tank, fountain, vessel or container so marked or distinguished as aforesaid, or from wantonly breaking or destroying, or from buying, selling, using or disposing of or trafficking in the same, or defacing, erasing, obliterating, covering up or otherwise removing any such name, brand, design, trademark, device or other marks of ownership thereon, for the purpose of destroying or removing the evidence of the ownership of such article, and all courts having chancery jurisdiction shall have power to grant injunctions according to the course and principles of courts of equity to restrain such filling for sale or such wantonly breaking or destroying and buying, selling, using or disposing of or trafficking in or such defacing, erasing, obliterating, covering up or otherwise removing, or the violation of any right acquired under the provisions of this act, and upon a decree being rendered in any such case against the defendant, the complainant shall be entitled to recover

the damages the complainant may have sustained by reason of the said acts of the defendant, and the court shall assess the same, or cause the same to be assessed, under its direction.

APPROVED May 11, 1901.

WAREHOUSES.

ISSUANCE AND CANCELATION OF RECEIPTS.

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| <p>§ 1. Warehouseman to issue receipt for grain stored—report to registrar—registrar to stamp receipt—penalty for violation.</p> | <p>Approved May 11, 1901.</p> |
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AN ACT providing for the issuing and the cancelation of receipts for public warehouses, or warehouses of class A or class B, in the State of Illinois, and providing penalties for violation thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That upon the receipt of any grain for storage in any public warehouse of class A or class B (in counties where a chief grain inspector has or shall be lawfully appointed), the said warehouseman shall issue, or cause to be issued, a receipt for the number of bushels, the kind, the grade of such grain, the owner thereof, and shall report within twenty-four (24) hours to the warehouse registrar the amount of said grain, the owner thereof, the number of the receipt issued therefor, the kind and grade of said grain, and that no grain shall be delivered from store from any such public warehouse of class A or class B (in counties where a chief grain inspector has or shall be lawfully appointed), for which, or representing which, any such receipt shall have been issued, except upon the return of said receipt stamped, or otherwise plainly marked by the warehouse registrar with the words "Registered for Cancellation," and the date thereof. And it shall be the duty of the warehouseman, after said receipts have been stamped and marked "Registered for Cancellation," and within twenty-four (24) hours after the last of said grain has been delivered, to report said receipts to the registrar cancelled; and any warehouseman, agent, clerk or servant failing to issue receipts for grain, when received as aforesaid, shall be subject to a fine of one hundred dollars (\$100) for each offense. And any warehouseman, agent, clerk or servant so delivering any grain, where receipts have been issued as aforesaid, or inspector or person connected with the grain department knowingly permitting said grain to be delivered without notice from the registrar that said receipts have been registered for cancellation, shall be deemed guilty of a crime, and upon conviction thereof shall be fined an amount [equal] to the value of the property so delivered, or imprisonment in the penitentiary not less than one year nor more than ten years.

APPROVED May 11, 1901.

WARRANTS.

MANNER OF ISSUING WARRANTS AND JURORS' CERTIFICATES.

§ 1. Amends sections 2 and 3, act of 1879.

§ 3. Interest.

§ 2. When issued—and against what tax levy—may be received by collector.

§ 2. Repeal.

Approved May 11, 1901.

AN ACT to amend sections 2 and 3 of an act entitled, "An act to provide for the manner of issuing warrants upon the treasurer of any county, township, city, school district or other municipal corporation, and jurors' certificates," approved May 31, 1879, in force July 1, 1879, and to repeal a certain act herein named.

SECTION 1. Be it enacted by the People of the State of Illinois, represented in the General Assembly: That sections 2 and 3 of an act entitled, "An act to provide for the manner of issuing warrants upon the treasurer of any county, township, city, school district or other municipal corporation, and jurors' certificates," approved May 31, 1879, in force July 1, 1879, be, and the same are hereby, amended to read as follows, viz:

§ 2. That whenever there is not sufficient money in the treasury of any county, city, town, village, school district or other municipal corporation to meet and defray the ordinary and necessary expenses thereof, it shall be lawful for the proper authorities thereof to provide a fund to meet said expenses by issuing and disposing of warrants drawn against and in anticipation of any taxes already levied by said authorities for the payment of the ordinary and necessary expenses of such county, city, town, village, school district or other municipal corporation, to the extent of seventy-five per centum of the total amount of any such tax levied: *Provided*, that warrants drawn and issued under the provisions of this section shall show upon their face that they are payable solely from said taxes when collected and not otherwise, and shall be received by any collector of taxes in payment of the taxes against which they are issued, and which taxes against which said warrants are drawn shall be set apart and held for their payment.

§ 3. Every warrant issued under this act shall, unless paid within thirty days after its issuance, bear interest, payable only out of the taxes against which it shall be drawn, at the rate of five per cent per annum from the date of its issuance until paid, or until notice shall be given by publication in a newspaper or otherwise that the money for its payment is available, and that it will be paid on presentation unless a lower rate of interest shall be specified therein, in which case the interest shall be computed and paid at such lower rate. All jurors' certificates shall hereafter be issued in conformity with the provisions of this act.

§ 2. An act entitled, "An act to provide for the payment of interest on warrants of municipal corporations," approved June 15, 1895, in force July 1, 1895, is hereby repealed.

APPROVED May 11, 1901.

JOINT RESOLUTIONS.

ADJOURNMENT FROM JANUARY 10 TO JANUARY 14.

Resolved by the Senate, the House of Representatives concurring herein, That when the two Houses of the General Assembly adjourn today, they stand adjourned until Monday, January 14, 1901, at 11:30 o'clock a. m.

Adopted by the Senate, January 10, 1901.

Concurred in by the House January 10, 1901.

ADJOURNMENT FROM FEBRUARY 8 TO FEBRUARY 13.

WHEREAS, Tuesday next is the anniversary of the birthday of Abraham Lincoln, and as it is fitting and proper [that] it should be observed; therefore, be it

Resolved by the Senate, the House of Representatives concurring herein, That when the two Houses adjourn Friday, February 8, 1901, they stand adjourned until Wednesday, February 13, 1901.

Adopted by the Senate February 6, 1901.

Concurred in by the House February 6, 1901.

ADJOURNMENT FROM FEBRUARY 21 TO FEBRUARY 26.

WHEREAS, Friday, February 22nd, is the anniversary of the birth of George Washington, the first president of the United States; and,

WHEREAS, It is fitting and proper that due observance thereof should be given at all times: therefore, be it

Resolved by the Senate, the House of Representatives concurring herein, That when the two Houses adjourn on Thursday, February 21, 1901, they stand adjourned until Tuesday, February 26, 1901, at 10 o'clock a. m.

Adopted by the Senate February 20, 1901.

Concurred in by the House February 20, 1901.

ADJOURNMENT FROM MARCH 29 TO APRIL 3.

Resolved by the Senate, the House of Representatives concurring herein, That when the two Houses adjourn on Friday, March 29, 1901, they stand adjourned until Wednesday, April 3, 1901.

Adopted by the Senate March 27, 1901.

Concurred in by the House March 27, 1901.

ADJOURNMENT SINE DIE.

Resolved, by the House of Representatives, the Senate concurring herein, That when the two Houses of this General Assembly adjourn on Saturday, May 4, 1901, they stand adjourned sine die.

Adopted by the House May 4, 1901.

Concurred in by the Senate May 4, 1901.

ARRANGEMENTS FOR INAUGURATION OF STATE OFFICERS.

Resolved, by the House of Representatives, the Senate concurring herein, That a joint committee be appointed, composed of three members of the House to be appointed by the Speaker, and three members of the Senate, to be appointed by the President, to have charge of and make all necessary arrangements for the inauguration of the Governor and other State officers.

Adopted by the House January 9, 1901.

Concurred in by the Senate January 10, 1901.

CANVASS OF ELECTION RETURNS.

Resolved, by the House of Representatives, the Senate concurring herein, That the two Houses meet in joint session in the Hall of the House of Representatives on Thursday the tenth (10th) day of January, A. D. 1901, at the hour of ten (10) o'clock a. m. for the purpose of canvassing the returns of the election for State officers held on the 6th day of November, 1900, as required by the Constitution of this State.

Adopted by the House January 9, 1901.

Concurred in by the Senate, January 10, 1901.

ELECTION OF UNITED STATES SENATOR.

Resolved, by the House of Representatives, the Senate concurring herein, That on Tuesday, the 22nd day of January instant, at 11 o'clock, a. m., each House shall, by itself, and in the manner prescribed by section fourteen and fifteen of the Revised Statutes of the United States, name a person for Senator in the Congress of the United States from the State of Illinois, for a term of six years, from the 4th day of March, A. D., 1901, and on Wednesday, the 23rd day of January instant, at 12 o'clock meridian, the members of the two Houses shall convene in joint assembly in the Hall of the House of Representatives, and in the manner prescribed by law declare the person who has received a majority of the votes in each House, if any person has received such majority, duly elected Senator to represent the State of Illinois in the Congress of the United States for the term aforesaid, and if no person has received such majority then proceed, as prescribed in said law, in joint assembly, to choose a person for the purpose aforesaid.

Adopted by the House January 21, 1901.

Concurred in by the Senate January 21, 1901.

GENEVA, BATAVIA AND SOUTHERN RAILWAY—RIGHT OF WAY GRANTED.

Be it resolved by the Senate, the House of Representatives concurring therein, That the assent of the General Assembly of the State of Illinois be, and the same is hereby, given to the Geneva, Batavia and Southern Railway Company, its successors or assigns, upon payment by said company, to the treasurer of the State of Illinois, of the sum of five hundred dollars (\$500) to construct and permanently maintain and operate a railroad with one or more tracks, with such curves, spurs, side-tracks, switches, turnouts, connections, telegraphs, trolleys, telephones, poles, signal and other devices as the said company, its successors or assigns, may deem necessary for the operation of its said railroad in, upon, or over a strip of land sixty-six (66) feet in width, in the city of Geneva, Illinois, belonging to the State of Illinois and used and occupied by the State Home for Juvenile Female Offenders, said strip being thirty-three (33) feet on each side of a center line described as follows, to-wit: Commencing on the south line of the lands belonging to the State of Illinois, used and occupied by the State home for Juvenile Female Offenders, (being the south line of the northeast quarter of section 10, township 39 north, range 8 east of the [third] principal meridian) at a point thirty-three (33) feet westerly from the west line of the northerly and southerly right of way of the Chicago and Northwestern Railway Company; thence northeasterly six hundred and fifty (650) feet parallel with and thirty-three (33) feet distant from the west line of the said right of way of the Chicago & Northwestern Railway Company; thence northerly on a curve to the left with a radius of 1910 1-10 feet, a distance of 1106 1-2 feet; thence northwesterly on a curve to the left with a radius of 410 3-10 feet, a distance of about 180 feet to the south line of the easterly and westerly right of way of the Chicago & Northwestern Railway Company, containing 2.93 acres more or less; all situate in the county of Kane and State of Illinois.

Adopted by the Senate March 20, 1901.

Concurred in by the House March 28, 1901.

INAUGURATION OF STATE OFFICERS.

Resolved, by the House of Representatives, the Senate concurring herein, That the two Houses meet in joint session in the House of Representatives, on Monday the 14th day of January A. D. 1901, at 12 o'clock M. for the purpose of witnessing the inauguration of Governor, Lieutenant Governor, and the other State officers elect of the State of Illinois.

Adopted by the House January 14, 1901.

Concurred in by the Senate January 14, 1901.

METROPOLITAN ELEVATED RAILWAY COMPANY—RIGHT OF WAY GRANTED.

Be it resolved, by the House of Representatives, the Senate concurring therein: That the assent of the General Assembly of the State of Illinois be, and the same is hereby, given to the Metropolitan West Side Elevated Railway Company, its successors or assigns, upon payment by said company to the Treasurer of the State of Illinois of the sum of eight hundred and fifty dollars (\$850), to erect and permanently maintain its elevated railroad structure in, upon and over a strip of ground, in the city of Chicago, belonging to the State of Illinois, and used and occupied by the Illinois Industrial Home for the Blind, bounded and described as follows: All those portions of lots seven (7) and fourteen (14), and the sixteen (16) foot alley lying between said lots seven (7) and fourteen (14), in block one (1) of Levi P. Morton's subdivision of the southeast quarter (s. e. 1/4) of the southwest quarter (s. w. 1/4) of section twenty-four (24) (except right of way of the Chicago, Burlington & Quincy Railroad Company), township thirty nine (39) north, range thirteen (13) east of the third (3d) principal meridian, in Cook county, Illi-

nois, lying between the northerly line of the right of way of the Chicago, Burlington & Quincy Railroad Company and a line six (6) feet north of and parallel with the said northerly line of the said Chicago, Burlington & Quincy Railroad Company, said six (6) feet being measured on a line perpendicular to the said northerly line of the said Chicago, Burlington & Quincy Railroad Company: *Provided, however,* that the foundations, columns and girders of said elevated railroad structure in, upon and over said strip of ground shall be constructed as follows: That no more than eight (8) foundations shall be constructed upon said strip of ground, and that the base of these foundations shall occupy the full width of the above named strip, and that no part of these foundations, at the present surface of the ground, shall extend more than four (4) feet ten (10) inches beyond the north line of the Chicago, Burlington & Quincy Railroad right of way, and that no part of the steel columns and girders shall extend more than one (1) foot nine (9) inches beyond the north line of the Chicago, Burlington & Quincy Railroad right of way.

Adopted by the House February 28, 1901.

Concurred in by the Senate April 4, 1901.

RAILWAY EMPLOYEES IN MEXICO—PROTECTION OF.

WHEREAS, In the Republic of Mexico for a number of years past in railway construction and in operation of railway lines, American citizens, as workmen in that country, have been subject to very cruel and inhuman treatment, [and] there has been a bitter feeling existing among the Mexican people against American citizens since the war with Mexico, [which] has been intensified by our late war with Spain; [and,]

[WHEREAS,] The Mexican is Spanish in sympathy, and at all times when the opportunity affords, takes advantage of our citizens and places them in jail for small offenses and otherwise abuses and mistreats them; [and,]

[WHEREAS,] In the last year one of our citizens died in jail without trial and others are in jail in jeopardy every day they work in that country; and,

WHEREAS, The railway employes of Illinois and of all the states and territories in the Union are interested in the protection of those engaged in the same service in the Republic of Mexico; and,

WHEREAS, It is in harmony with the spirit and policy of the Government of the United States to protect its citizens at all times and in all countries; therefore, be it

Resolved by the Senate of the State of Illinois, the House of Representatives concurring herein, That our Senators be instructed and our Representatives in Congress be requested to take such steps as will secure to our citizens in the Republic of Mexico the protection our flag guarantees.

Adopted by the Senate March 26, 1901.

Concurred in by the House March 27, 1901.

REGIMENTAL FLAGS FOR GRANT MONUMENT.

WHEREAS, The Grant Monument Association of the city of New York, which has charge of the tomb of General U. S. Grant, has provided suitable niches and receptacles in said tomb for preserving and exhibiting therein two regimental flags from each state in the Union of regiments that served under General Grant during the War of the Rebellion; and,

WHEREAS, Especially, his own State of Illinois should be prominently represented; therefore, be it

Resolved, by the House of Representatives, the Senate concurring therein, That the State of Illinois hereby tenders said Grant Monument Association, the use of two regimental flags of Illinois regiments which served under General Grant during said war, so long as the same shall be suitably and safely preserved and exhibited in said tomb, and that the Governor of the State of Illinois be, and is hereby, authorized to cause said flags to be selected and safely delivered to said association upon receiving its receipt therefor and agreement to safely keep and preserve the same and return the same to the State of Illinois at any time when demanded by the Governor of this State.

Adopted by the House February 6, 1901.

Concurred in by the Senate February 7, 1901.

WHEATON, COLONEL LLOYD—PROMOTION RECOMMENDED.

WHEREAS, Colonel Lloyd Wheaton, who was colonel of the Seventh Illinois Infantry during the War of the Rebellion, and who entered the service as sergeant in the Seventh Illinois Infantry, and who, for gallant and meritorious service at the siege of Vicksburg, and at the assault on Fort Blakely and Mobile, Alabama, was voted a medal by Congress and was afterwards made colonel of the Seventh Illinois Infantry; who has, since the War of the Rebellion, served in the regular army as captain, major and colonel, and who now holds a brevet commission as major general of volunteers and is in line for promotion to be made a major general in the regular army; therefore, be it

Resolved by the Senate, the House of Representatives concurring herein, That we strongly recommend Colonel Wheaton to the President of the United States for promotion to Major General in the regular service, and ask for his promotion on the ground of merit.

Adopted by the Senate March 14, 1901.

Concurred in by the House March 20, 1901.

UNITED STATES OF AMERICA, } SS.
STATE OF ILLINOIS,

OFFICE OF THE SECRETARY OF STATE.

I, JAMES A. ROSE, Secretary of State, of the State of Illinois, do hereby certify that the foregoing Acts and Joint Resolutions of the Forty-second General Assembly of the State of Illinois, passed and adopted at the regular session thereof, are true and correct copies of the original acts and joint resolutions, now on file in the office of the Secretary of State, save and except such words, letters and figures as are printed in brackets, thus: [].

[SEAL.] IN WITNESS WHEREOF, I hereto set my hand and affix the Great Seal of State, at the city of Springfield, this 28th day of May, A. D. 1901.

JAMES A. ROSE,
Secretary of State.

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